

Message

From: Eckhart, Jeanne [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=DDB8E58B4707410992750A95767619CA-ECKHART, JE]
Sent: 5/14/2020 4:01:10 PM
To: Sanborn, Kent [Sanborn.Kent@epa.gov]
CC: Tidmore, Guy [tidmore.guy@epa.gov]
Subject: FW: Water Quality Report Results
Attachments: 14377.pdf; 14389.pdf; 14390.pdf; 14391.pdf

Part 1 of 2. Complaint came in on Special Energy (Ramsey Lease) in Payne Co.

From: Mike McKeever <mike@promacservices.net>
Sent: Tuesday, May 12, 2020 12:54 PM
To: Eckhart, Jeanne <Eckhart.Jeanne@epa.gov>
Subject: Fwd: Water Quality Report Results

Mike,

I've attached the results of your Water Quality Reports. Please let our office know if you have any questions.

Thanks!

Shelly Fitzpatrick
Administrative Support Specialist
OSU Payne County Extension
315 W. 6th Suite 103
Stillwater OK 74074
405-747-8320



Soil, Water & Forage Analytical Laboratory

Oklahoma State University Division of Agricultural Sciences and Natural Resources
045 Agricultural Hall
Stillwater, OK 74078
Email: soiltesting@okstate.edu
Website: www.soiltesting.okstate.edu

WATER QUALITY REPORT

PAYNE CO EXT OFC
315 W 6th
SUITE 103
STILLWATER, OK 74074
(405) 747-8320

Name : Mike McKeever
Location : mckeever500@gmail.com
#1

Lab ID No.: 942215
Customer Code : 60
Sample No. : 14377
Received : 1/7/2020
Report Date : 1/10/2020

Test Results for Livestock Water

| Analysis | Sample Results | Livestock Water Limits |
|--|----------------|------------------------|
| Boron (ppm) | 0.14 | < 5 ppm |
| Calcium (ppm) | 309.1 | No Guidelines |
| Chloride (ppm) | 1753.5 | < 600 ppm |
| Copper (ppm) | < DL* | < 0.5 ppm |
| Iron (ppm) | < DL* | No Guidelines |
| Magnesium (ppm) | 159.0 | No Guidelines |
| Manganese (ppm) | 1.09 | No Guidelines |
| Nitrate-N (ppm) | < DL* | < 100 ppm |
| Potassium (ppm) | 3 | No Guidelines |
| Sodium (ppm) | 727.2 | < 1000 ppm |
| Sulfate (ppm) | 47.6 | < 1000 ppm |
| Zinc (ppm) | < DL* | < 25 ppm |
| EC (µmhos/cm) | 6090 | No Guidelines |
| ICAP_P ppm | --- | No Guidelines |
| Hardness (ppm, 17.1 ppm = 1 grain/gal) | 1425.3 | No Guidelines |
| Hardness Class | Very Hard | No Guidelines |
| pH | 7.9 | 5.5-9.0 |
| NH ₄ -N (ppm) | --- | No Guidelines |
| Total Dissolved Solids(TDS) (ppm) | 4019.4 | < 3000 ppm |

* DL : Detection Limit

This water is considered unacceptable for some animals because it exceeds the guideline of 3000 mg/L total dissolved salts. See L-256 for more details.

This water may be objectionable because it exceeds the guideline of 600mg Chloride/L


Signature



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WATER QUALITY REPORT

PAYNE CO EXT OFC
315 W 6th
SUITE 103
STILLWATER, OK 74074
(405) 747-8320

Name : Mike McKeever
Location : mckeever500@gmail.com
#2

Lab ID No.: 942216
Customer Code : 60
Sample No. : 14389
Received : 1/7/2020
Report Date : 1/10/2020

Test Results for Livestock Water

| Analysis | Sample Results | Livestock Water Limits |
|--|----------------|------------------------|
| Boron (ppm) | 0.22 | < 5 ppm |
| Calcium (ppm) | 240.6 | No Guidelines |
| Chloride (ppm) | 2177.3 | < 600 ppm |
| Copper (ppm) | < DL* | < 0.5 ppm |
| Iron (ppm) | < DL* | No Guidelines |
| Magnesium (ppm) | 98.6 | No Guidelines |
| Manganese (ppm) | 2.81 | No Guidelines |
| Nitrate-N (ppm) | < DL* | < 100 ppm |
| Potassium (ppm) | 3 | No Guidelines |
| Sodium (ppm) | 1323.9 | < 1000 ppm |
| Sulfate (ppm) | 315.8 | < 1000 ppm |
| Zinc (ppm) | < DL* | < 25 ppm |
| EC (µmhos/cm) | 7930 | No Guidelines |
| ICAP_P ppm | --- | No Guidelines |
| Hardness (ppm, 17.1 ppm = 1 grain/gal) | 1005.9 | No Guidelines |
| Hardness Class | Very Hard | No Guidelines |
| pH | 7.2 | 5.5-9.0 |
| NH ₄ -N (ppm) | --- | No Guidelines |
| Total Dissolved Solids(TDS) (ppm) | 5233.8 | < 3000 ppm |

* DL : Detection Limit

This water may be objectionable because it is greater than the guideline of 1000mg Na/L.

Serious effects including death become likely at 5000mg/L. We recommend keeping drinking water Na concentration less than 1000mg/L (chronic exposure criteria). This assumes normal feedstuff Na concentration and no other water sources; these concentrations should protect against acute lethality or chronically poor performance. Short term exposure (days-weeks) should not exceed 4000 mg Na/L. This water may be objectionable because it exceeds the guideline of 600mg Chloride/L.


Signature



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Stillwater, OK 74078
Email: soiltesting@okstate.edu
Website: www.soiltesting.okstate.edu

WATER QUALITY REPORT

PAYNE CO EXT OFC
315 W 6th
SUITE 103
STILLWATER, OK 74074
(405) 747-8320

Name : Mike McKeever
Location : mckeever500@gmail.com
#3

Lab ID No.: : 942217
Customer Code : 60
Sample No. : 14390
Received : 1/7/2020
Report Date : 1/10/2020

Test Results for Livestock Water

| Analysis | Sample Results | Livestock Water Limits |
|--|----------------|------------------------|
| Boron (ppm) | 0.17 | < 5 ppm |
| Calcium (ppm) | 214.8 | No Guidelines |
| Chloride (ppm) | 1486.4 | < 600 ppm |
| Copper (ppm) | < DL* | < 0.5 ppm |
| Iron (ppm) | < DL* | No Guidelines |
| Magnesium (ppm) | 104.1 | No Guidelines |
| Manganese (ppm) | 2.18 | No Guidelines |
| Nitrate-N (ppm) | < DL* | < 100 ppm |
| Potassium (ppm) | 3 | No Guidelines |
| Sodium (ppm) | 712.6 | < 1000 ppm |
| Sulfate (ppm) | 69.9 | < 1000 ppm |
| Zinc (ppm) | < DL* | < 25 ppm |
| EC (µmhos/cm) | 5170 | No Guidelines |
| ICAP_P ppm | --- | No Guidelines |
| Hardness (ppm, 17.1 ppm = 1 grain/gal) | 964.3 | No Guidelines |
| Hardness Class | Very Hard | No Guidelines |
| pH | 7.9 | 5.5-9.0 |
| NH ₄ -N (ppm) | --- | No Guidelines |
| Total Dissolved Solids(TDS) (ppm) | 3412.2 | < 3000 ppm |

* DL : Detection Limit

This water is considered unacceptable for some animals because it exceeds the guideline of 3000 mg/L total dissolved salts. See L-256 for more details.

This water may be objectionable because it exceeds the guideline of 600mg Chloride/L


Signature



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Oklahoma State University Division of Agricultural Sciences and Natural Resources
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WATER QUALITY REPORT

PAYNE CO EXT OFC
315 W 6th
SUITE 103
STILLWATER, OK 74074
(405) 747-8320

Name : Mike McKeever
Location : mckeever@gmail.com
#4

Lab ID No.: 942218
Customer Code : 60
Sample No. : 14391
Received : 1/7/2020
Report Date : 1/10/2020

Test Results for Livestock Water

| Analysis | Sample Results | Livestock Water Limits |
|--|----------------|------------------------|
| Boron (ppm) | 0.24 | < 5 ppm |
| Calcium (ppm) | 167.0 | No Guidelines |
| Chloride (ppm) | 812.8 | < 600 ppm |
| Copper (ppm) | <DL* | <0.5 ppm |
| Iron (ppm) | < DL* | No Guidelines |
| Magnesium (ppm) | 76.6 | No Guidelines |
| Manganese (ppm) | <DL* | No Guidelines |
| Nitrate-N (ppm) | < DL* | < 100 ppm |
| Potassium (ppm) | 1 | No Guidelines |
| Sodium (ppm) | 409.1 | < 1000 ppm |
| Sulfate (ppm) | 80.4 | <1000 ppm |
| Zinc (ppm) | < DL* | < 25 ppm |
| EC (µmhos/cm) | 3410 | No Guidelines |
| ICAP_P ppm | --- | No Guidelines |
| Hardness (ppm, 17.1 ppm = 1 grain/gal) | 731.6 | No Guidelines |
| Hardness Class | Very Hard | No Guidelines |
| pH | 7.9 | 5.5-9.0 |
| NH ₄ _N (ppm) | --- | No Guidelines |
| Total Dissolved Solids(TDS) (ppm) | 2250.6 | <3000 ppm |

* DL : Detection Limit

This water may be objectionable because it exceeds the guideline of 600mg Chloride/L


Signature

Message

From: Eckhart, Jeanne [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=DDB8E58B4707410992750A95767619CA-ECKHART, JE]
Sent: 5/14/2020 6:54:33 PM
To: Sanborn, Kent [Sanborn.Kent@epa.gov]
Subject: RE: Water Quality Report Results

Ok, good to know! I couldn't remember. Thank you for checking it out!

Mr. Mike McKeever wanted to be available to show EPA his concerns on where the "additional" underground flow path occurred when the inspection occurs.

His number is: (405) 317-4098

Jeanne Eckhart
Inspector and Enforcement Officer (6ECDWE)
Energy Sector Compliance Section
Enforcement and Compliance Assurance Division
Region 6, U.S. Environmental Protection Agency
Office: (214) 665 – 8174

From: Sanborn, Kent <Sanborn.Kent@epa.gov>
Sent: Thursday, May 14, 2020 12:29 PM
To: Eckhart, Jeanne <Eckhart.Jeanne@epa.gov>
Subject: Re: Water Quality Report Results

Yes this owned by someone else now. Those tests are too bad but I'll recheck the creek. I'm sure ready to fly!

Sent from my iPhone

On May 14, 2020, at 11:01 AM, Eckhart, Jeanne <Eckhart.Jeanne@epa.gov> wrote:

Part 1 of 2. Complaint came in on Special Energy (Ramsey Lease) in Payne Co.

From: Mike McKeever <mike@promacservices.net>
Sent: Tuesday, May 12, 2020 12:54 PM
To: Eckhart, Jeanne <Eckhart.Jeanne@epa.gov>
Subject: Fwd: Water Quality Report Results

Mike,

I've attached the results of your Water Quality Reports. Please let our office know if you have any questions.

Thanks!

Shelly Fitzpatrick

Administrative Support Specialist

OSU Payne County Extension

315 W. 6th Suite 103

Stillwater OK 74074

405-747-8320

<14377.pdf>

<14389.pdf>

<14390.pdf>

<14391.pdf>

Message

From: Sanborn, Kent [Sanborn.Kent@epa.gov]
Sent: 4/22/2021 12:46:52 PM
To: Eckhart, Jeanne [Eckhart.Jeanne@epa.gov]
Subject: signed reports
Attachments: 6ECDW.InspRpt.DavisBrosOilProducersInc.RingwaldShannon.OKU000890.pdf;
6ECDW.InspRpt.GandCPetroleumIncRamsey.OKU000873.pdf;
6ECDW.InspRpt.PetcoPetroleumCorporationOilton.OKU000878.pdf

Message

From: Eckhart, Jeanne [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=DDB8E58B4707410992750A95767619CA-ECKHART, JE]
Sent: 4/22/2021 12:33:59 PM
To: Sanborn, Kent [Sanborn.Kent@epa.gov]
Subject: RE: Reports are all in there. As you would say "Okie Dokie"?
Attachments: 6ECDW.InspRpt.DavisBrosOilProducersInc.RingwaldShannon.OKU000890.pdf;
6ECDW.InspRpt.GandCPetroleumIncRamsey.OKU000873.pdf;
6ECDW.InspRpt.PetcoPetroleumCorporationOilton.OKU000878.pdf

Attached.

From: Sanborn, Kent <Sanborn.Kent@epa.gov>
Sent: Thursday, April 22, 2021 7:33 AM
To: Eckhart, Jeanne <Eckhart.Jeanne@epa.gov>
Subject: RE: Reports are all in there. As you would say "Okie Dokie"?

Cant get to these today either. You sign if you want or find another way. No one seems to have a solution to the pulse secure problem

From: Eckhart, Jeanne <Eckhart.Jeanne@epa.gov>
Sent: Wednesday, April 21, 2021 3:59 PM
To: Sanborn, Kent <Sanborn.Kent@epa.gov>
Cc: Tidmore, Guy <tidmore.guy@epa.gov>
Subject: FW: Reports are all in there. As you would say "Okie Dokie"?

Next 3 for signature Kent (highlighted ones below), link here: <H:\6EN\6EN-W\ECDWE\Brine\Inspections & Investigations\FY21>

- 4D Oil and Gas, LLC (Stuart) OKU000894
- Calgary Energy, LLC (Tidal Flood) OKU000893
- Canok International, Inc. (Canok) OKU000866
- Compliance Assistance
- Davis Bros Oil Producers, Inc. (Ringwald Shannon Tank Battery) OKU000890
- G and C Petroleum, Inc. (Ramsey) OKU000873
- McCann Resources, Inc. (Bowring) OKU000848
- McCann Resources, Inc. (Hulah Lake) OKU000895
- Petco Petroleum Corporation (Oilton) OKU000878
- Riverstone Energy, LLC (Wewoka) OKU000896
- WN Operating, Inc. (Anicker Lease) OKU000897
- WWW Oil Company (Whitetail Stuart Lease) OKU000872
- inspection_report_peer_review_form_R3.1(PDJ).pdf

From: Sanborn, Kent <Sanborn.Kent@epa.gov>
Sent: Thursday, April 15, 2021 11:29 AM
To: Eckhart, Jeanne <Eckhart.Jeanne@epa.gov>
Subject: Reports are all in there. As you would say "Okie Dokie"?

Message

From: Eckhart, Jeanne [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=DDB8E58B4707410992750A95767619CA-ECKHART, JE]
Sent: 5/18/2021 6:49:08 PM
To: nikki@gcpetroleum.com
Subject: EPA Compliance Inspection at a G&C Petroleum, Inc. Facility
Attachments: 6ECDW.InspRpt.GandCPetroleumIncRamsey.OKU000873.pdf

Mr. Alsip,

On April 14, 2021 the United States Environmental Protection Agency conducted a Clean Water Act (CWA) compliance inspection at your facility. A copy of the inspection report is attached to this email. EPA will continue to use this report to determine your facility's compliance with the CWA. Please review the report, note the areas of concern (if any), and take any actions necessary to ensure compliance with the CWA. The EPA inspector, Kent Sanborn, may have discussed these concerns with a company representative at the time of the inspection as well. EPA wanted to provide you a copy of the inspection report for your records.

Also, if you have specific questions or concerns related to the Spill Prevention, Control, and Countermeasure (SPCC) regulations and how these regulations apply to your oil and gas facility, please be aware of the following online resource: <https://www.epa.gov/oil-spills-prevention-and-preparedness-regulations/overview-spill-prevention-control-and>. Additionally, a facility Owner/Operator Guide is also available online here: <https://www.epa.gov/oil-spills-prevention-and-preparedness-regulations/facility-owneroperators-guide-oil-pollution>

If you have questions or concerns related to this inspection report, please feel free to reach out to me (contact info. below).

Thank you,

Jeanne Eckhart
Inspector and Enforcement Officer
Energy Sector Compliance Section
Enforcement and Compliance Assurance Division
Region 6, U.S. Environmental Protection Agency



U.S. Environmental Protection Agency, Region 6
Mail Code: 6ECDWE
1201 Elm Street, Suite 500
Dallas, Texas 75270-2102
Office: (214) 665 – 8174

Region 6 - Enforcement & Compliance Assurance Division
INSPECTION REPORT

| | | |
|---|---|-----------------------|
| Inspection Date(s): | 04/14/2021 | |
| Media Program: | Water | |
| Regulatory Program(s) | CWA – NPDES, Produced Water | |
| Company Name: | G and C Petroleum, Inc. | |
| Facility Name: | Ramsey | |
| Facility Physical Location: | 36.036268N, -97.131545 | |
| (city, state, zip code) | Cushing, Oklahoma | |
| Mailing address: | 102 W. Boston Ave | |
| (city, state, zip code) | Yale, OK 74085-2502 | |
| County/Parish: | Payne Co. OK | |
| Facility Phone Number | 918-387-3300 | |
| Facility Contact: | Clayton E. Alsip | nikki@gcpetroleum.com |
| FRS Number: | N/A | |
| Identification/Permit Number: | OKU000873 | |
| Media Identifier Number: | N/A | |
| NAICS: | 211111 | |
| SIC: | 1311 | |
| Personnel participating in inspection: | | |
| Kent Sanborn | EPA, 6ECDW | EPA led Inspector |
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| | | |
| EPA lead Inspector Signature/Date | Kent W. Sanborn <small>Digitally signed by Kent W. Sanborn DN: cn=Kent W. Sanborn, o=6EN-WR, email=sanborn.kent@epa.gov, c=US Date: 2021.04.22 07:43:50 -05'00'</small> | |
| | Kent W. Sanborn | Date |
| Supervisor Signature/Date | GUY TIDMORE <small>Digitally signed by GUY TIDMORE DN: c=US, o=U.S. Government, ou=Environmental Protection Agency, cn=GUY TIDMORE, 0.9.2342.1.9200300.100.1.1=68001003655426 Date: 2021.04.29 08:16:28 -05'00'</small> | 29 APR 2021 |
| | Guy Tidmore | Date |

Section I – INTRODUCTION

Purpose of Inspection

EPA Region 6 inspector Kent Sanborn arrived at the G and C Petroleum, Inc. Ramsey lease west of Cushing, Oklahoma on 04/14/2021 for an inspection of a previous brine discharge site. There were no facility representatives present at the site. The inspection was conducted under the authority of the Clean Water Act (CWA) to assess a previously reported spill from the brine facility. The scope of the inspection is to assess unauthorized discharges and impacts of nearby water resources under the CWA.

Facility Description

The facility was a large tank battery complex on the Ramsey Lease. The previous discharge site was southeast of the battery.

Section II – Observations

The hillside where the brine spill occurred was covered in grass. There was no evidence of brine seepage. The surrounding creeks around the facility were measured with a calibrated YSI conductivity meter. The total dissolved solids (TDS) ranges of 1,000-1,300 milligrams per liter (mg/l) were observed. Background readings in upstream creeks were similar.

| | |
|--|-----|
| Were control measures put in place? | N/A |
| National Response Center (NRC) notified? | N/A |
| Remedial action ongoing? | N/A |
| Downstream Observations? | Yes |
| Upstream Observations? | Yes |
| Spill Ongoing? | N/A |
| Spill reached waterbody? | N/A |
| Aquatic Life Kill/Damage? | N/A |
| Vegetation damage? | N/A |

Section III – AREAS OF CONCERN

The following areas of concern were identified:

- None

Section IV – FOLLOW UP

- None

Section V – RESOURCES

Below are compliance resources for oil and gas facilities:

- To report spills associated with your facility, call: **1-800-424-8802**, for more information: <https://www.epa.gov/pesticide-incidents/how-report-spills-and-environmental-violations>.
- For information regarding Spill Prevention, Control, and Countermeasure (SPCC) program: <https://www.epa.gov/oil-spills-prevention-and-preparedness-regulations/facility-owneroperators-guide-oil-pollution>.
- For information regarding Underground Injection Control (UIC) (Safe Drinking Water Act): <https://www.epa.gov/uic>.

Message

From: Eckhart, Jeanne [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=DDB8E58B4707410992750A95767619CA-ECKHART, JE]
Sent: 9/19/2018 3:22:02 PM
To: Brooks, Christopher [brooks.christopher@epa.gov]; Stevens, Bill [stevens.bill@epa.gov]
CC: Tidmore, Guy [tidmore.guy@epa.gov]; Jessica Moore (Moore.Jessica@epa.gov) [Moore.Jessica@epa.gov]
Subject: 6ENWR Inspection Reports - FYI
Attachments: InspRptSDWA4DEnergy8-2-18.pdf; InspRptSDWA4DEnergy8-7-18.pdf; InspRptSDWA7000RiversideParkway8-1-18.pdf; InspRptSDWALeaseholdManagement8-1-18.pdf; InspRptSDWARobertsOilandGas 8-6-18.pdf; InspRptSDWAWatchmanShroeder8-7-18.pdf; InspRptCWASpecialEnergyRamsey08282018.pdf

Chris and Bill,

Attached are 7 inspection reports, for your FYI. Please let us know if you have any questions.

Thanks,

Jeanne Eckhart
Environmental Scientist
Water Resources Section, Enforcement Division
Region 6, U.S. EPA
Office: (214) 665 – 8174
Fax: (214) 665 – 7446

**Region 6 Compliance Assurance and Enforcement Division
INSPECTION REPORT**

| | | | |
|--|--|------------------------|--------------|
| Inspection Date(s): | August 28, 2018 | | |
| Media: | Water (Clean Water Act) | | |
| Regulatory Program(s) | NPDES – Brine | | |
| Company Name: | Special Energy Corporation | | |
| Facility Name: | Ramsey | | |
| Facility Physical Location: | 36.031157N, -97.122338W (Sect. 17, T 18N, R 2E) | | |
| (city, state, zip code) | Stillwater, Oklahoma 74074 | | |
| Mailing address: | 4815 N. Perkins Rd. | | |
| (city, state, zip code) | Stillwater, Oklahoma 74056 | | |
| County/Parish: | Payne | | |
| Facility Contact: | Larry Berry | | |
| | 405-377-1177 | | |
| FRS Number: | N/A | | |
| Identification/Permit Number: | OKU000873 | | |
| Media Number: | N/A | | |
| NAICS: | 21111 | | |
| SIC: | 1311 | | |
| Personnel participating in inspection: | | | |
| Kent W. Sanborn | EPA Region 6, 6EN-WR | Environmental Engineer | 918-557-1615 |
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| | | | |
| EPA Lead Inspector Signature/Date | Sanborn, Kent <small>Digitally signed by Sanborn, Kent DN: cn=Sanborn, Kent, email=Sanborn.Kent@epa.gov Date: 2018.09.08 09:47:21 -05'00'</small> | | |
| | Kent W. Sanborn | | Date |
| Supervisor Signature/Date | GUY TIDMORE <small>Digitally signed by GUY TIDMORE DN: c=US, o=U.S. Government, ou=USEPA, ou=Staff, cn=GUY TIDMORE, dnQualifier=0000012807 Date: 2018.09.14 11:30:23 -05'00'</small> | | 9/15/2018 |
| | Guy Tidmore | | Date |

Section I – INTRODUCTION

PURPOSE OF THE INSPECTION

EPA Region 6 inspector Kent W. Sanborn arrived at the Special Energy Corporation / Ramsey lease on a property near Stillwater, Oklahoma at about 2:00 pm on August 28, 2018 for an inspection. The inspection was initiated by an National Response Center (NRC) reported discharge of oil and brine into a dry creek bed. There were several company representatives at the site during the inspection including Mr. Larry Berry of Special Energy Corporation. The inspection was conducted under the authority of Section 308 of the CWA. The scope of the inspection was to determine if the facility was in compliance with the Clean Water Act, including Section 301, and to identify and document discharges of produced wastewater (brine) to waters of the United States.

FACILITY DESCRIPTION

The facility included storage tanks, flow lines and other equipment associated with oil and gas operations. The origination point of discharge was a 6-inch buried fiberglass injection line. The line appeared to have sustained damage when it was installed and buried.

Section II – OBSERVATIONS

I initially arrived at the Special Energy Corp. Ramsey lease at about 2:00 pm on August 28, 2018. Upon inspection, I determined that the brine spill had reached a major tributary of Wild Horse Creek and had traveled 1-2 miles downstream from the point of entry into the tributary. Cleanup activities were ongoing at the site. Photo 1 shows the tank battery associated with the lease. Photo 2 is the sign present near the discharge point at the lease. The discharge occurred from a buried injection flow line (Photos 3 and 4). I observed that the line appeared to have leaked from some damage that could have occurred when it was installed underground. Company representatives indicated that pressure in the line normally measures about 150 psi. Brine fluids from the leak surfaced and flowed south down a hill (Photos 5 and 6) toward the tributary of Wild Horse Creek. A large area of dead grass was affected. The brine entered the tributary along the area shown in Photo 7. The tributary was dry upstream from the point of entry. A reading at the point of entry was taken of Total Dissolved Solids (TDS) with a calibrated YSI Pro 30 Conductivity Meter. The reading exceeded the limits of the meter to measure TDS, which indicates TDS was over 125,000 milligrams per liter (mg/L) (Photo 8). The tributary had been pumped out at the first access point southeast of the discharge point (Photo 9). TDS at the location shown in Photo 9 was 126,791 mg/L (Photo 10). Flushing activities of the hill, or flow path, and the upper portion of the tributary were occurring during the inspection. The tributary south of Photo 9 is shown in Photo 11. The tributary was much larger here and had large pools of water. The TDS at this location was 113,736 mg/L (Photo 12). A dam was constructed (Photo 13) south of the tributary location shown in Photo 11. A vacuum truck was removing brine on the upstream side of the dam (Photo 14). Photo 15 shows the view downstream from the dam. The TDS was measured at 79,354 mg/L (Photo 16) south, or downstream, of the dam. No other dams were constructed downstream of this location. I observed that the dam was not containing the spill in the tributary and brine was flowing further downstream.

Photo 17 is a view of the tributary south of the dam, or downstream. The TDS at that location was measured at 100,543 mg/L (Photo 18). There were a few dead fish at this location (Photo 19). The tributary was observed farther south (Photo 20) of the location shown in Photo 17. Numerous dead fish were seen here (Photos 21, and 22). The TDS near the fish kill was 102,987 mg/L (Photo 23). I observed another location south, or downstream, in the tributary (Photo 24). TDS had dropped to 9,043 mg/L (Photo 25). Moving south again, or downstream, I observed the tributary (Photo 26) and measured a TDS of 3,852 mg/L (Photo 27). I traveled south to another segment or tributary of Wild Horse Creek, outside the downstream area of contamination from the flow of brine fluids in the main tributary of Wild Horse Creek and observed the background water quality of the creek (Photo 28) and measured a TDS of 468 mg/L (Photo 29).

Section III – AREAS OF CONCERN

There are elevated levels of TDS in the tributary of Wild Horse Creek that continue to effect aquatic life, including fish that were killed in the tributary, downstream from remedial activities. The large volume of brine contamination in the tributary continues to flow further downstream and continues to negatively affect the water quality and aquatic life in the tributary. The flow path from the point of discharge to the point of entry to the tributary of Wild Horse Creek was wide and still contaminated. The injection line was still leaking slightly from the clamp repair.

Section IV – FOLLOW UP

A follow up inspection will be conducted as needed.

Section V – LIST OF APPENDICES

Appendix 1 – Photo Log – 29 photos taken August 28, 2018.

Appendix 1

Photographic Log (29 photos)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 1

| | | |
|---|---------------|-----------------|
| 36.031157N, -97.122338W (Sect. 17, T 18N, R 2E) | | |
| City: Stillwater | County: Payne | State: Oklahoma |



Photo File Name: Photo 1 (DSC_0016)

Orientation: Southwest

Date of Photo: 08/28/2018

Time of Photo: 1:55 pm

Latitude: 36.036848N

Longitude: -97.132861W

Photographer: K.W. Sanborn

Description: The discharge originated from an injection line near this tank battery.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 2

| | | |
|---|---------------|-----------------|
| 36.031157N, -97.122338W (Sect. 17, T 18N, R 2E) | | |
| City: Stillwater | County: Payne | State: Oklahoma |



Photo File Name: Photo 2 (DSC_0015)

Orientation: Southeast

Date of Photo: 08/28/1018

Time of Photo: 1:55 pm

Latitude: 36.036848N

Longitude: -97.132861W

Photographer: K.W. Sanborn

Description: This photo shows the sign which identifies the lease at the spill site.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 3

| | | |
|---|---------------|-----------------|
| 36.031157N, -97.122338W (Sect. 17, T 18N, R 2E) | | |
| City: Stillwater | County: Payne | State: Oklahoma |



Photo File Name: Photo 3 (DSC_0003)

Orientation: South

Date of Photo: 08/28/2018

Time of Photo: 1:23 pm

Latitude: 36.036005N

Longitude: -96.131580W

Photographer: K.W. Sanborn

Description: Brine fluids were discharged from an injection flow line near the tank battery, which was the point of discharge. The flow line was buried during the inspection.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 4

| | | |
|---|---------------|-----------------|
| 36.031157N, -97.122338W (Sect. 17, T 18N, R 2E) | | |
| City: Stillwater | County: Payne | State: Oklahoma |

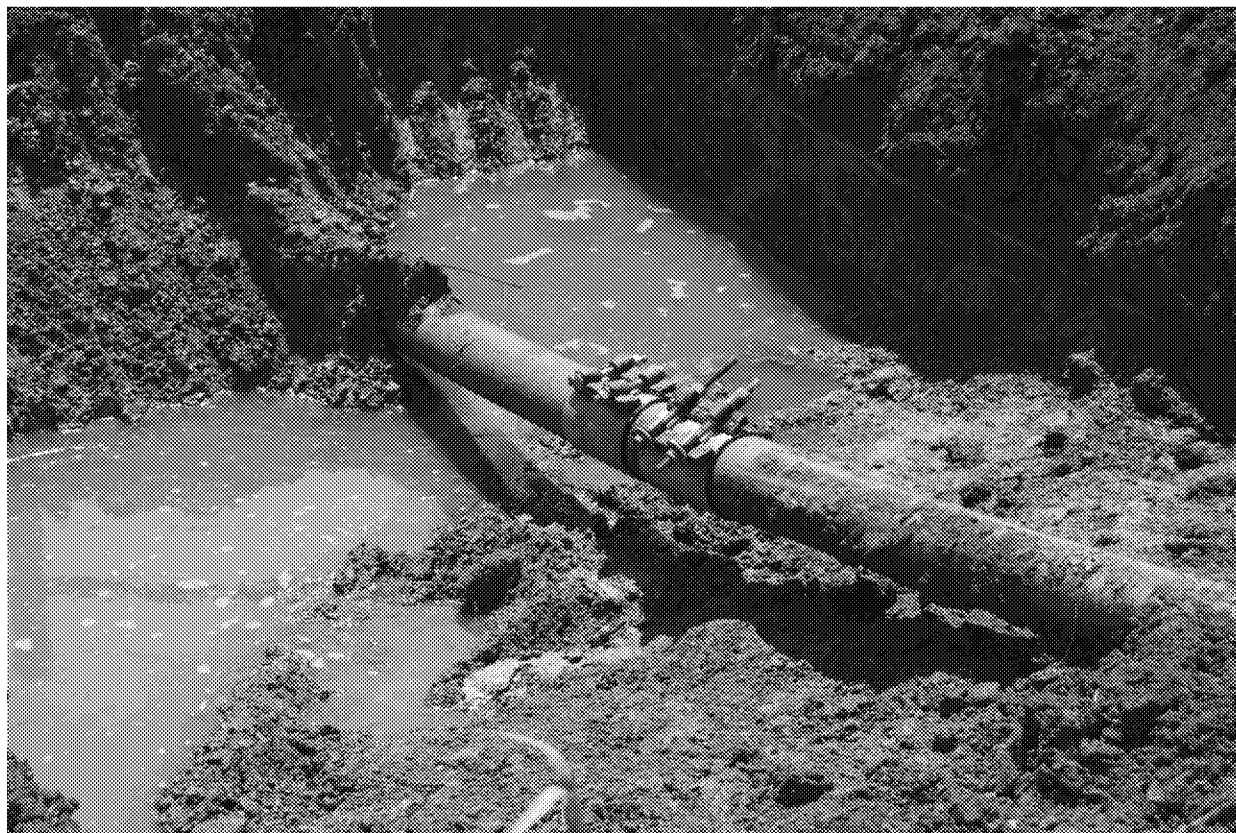


Photo File Name: Photo 4 (DSC_0005)

Orientation: South

Date of Photo: 08/28/2018

Time of Photo: 1:23 pm

Latitude: 36.036005N

Longitude: -97.131580W

Photographer: K.W. Sanborn

Description: The 6-inch fiberglass injection line had been clamped at the time of the inspection and was the source of the discharge of produced water, or brine. The pipe appeared to be damaged on the bottom and was still leaking slightly during the inspection.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 5

| | | |
|---|---------------|-----------------|
| 36.031157N, -97.122338W (Sect. 17, T 18N, R 2E) | | |
| City: Stillwater | County: Payne | State: Oklahoma |



Photo File Name: Photo 5 (DSC_0006)

Orientation: South

Date of Photo: 08/28/2018

Time of Photo: 1:23 pm

Latitude: 36.036005N

Longitude: -97.131580W

Photographer: K.W. Sanborn

Description: The produced water or brine from the line bubbled out of the ground here from the leaking flow line and flowed south down the hill.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 6

| | | |
|---|---------------|-----------------|
| 36.031157N, -97.122338W (Sect. 17, T 18N, R 2E) | | |
| City: Stillwater | County: Payne | State: Oklahoma |



Photo File Name: Photo 6 (DSC_0008)

Orientation: Southeast

Date of Photo: 08/28/2018

Time of Photo: 1:25 pm

Latitude: 36.036005N

Longitude: -97.131580W

Photographer: K.W. Sanborn

Description: The brine flowed down the hill here toward the tributary of Wild Horse Creek. I observed dead grass and salt staining along the flow path during the inspection.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 7

| | | |
|---|---------------|-----------------|
| 36.031157N, -97.122338W (Sect. 17, T 18N, R 2E) | | |
| City: Stillwater | County: Payne | State: Oklahoma |



Photo File Name: Photo 7 (DSC_0010)

Orientation: Southeast

Date of Photo: 08/28/2018

Time of Photo: 1:26 pm

Latitude: 36.035107N

Longitude: -97.131449W

Photographer: K.W. Sanborn

Description: This is the point of entry to tributary of Wild Horse Creek The tributary was dry upstream from this location.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 8

| | | |
|---|---------------|-----------------|
| 36.031157N, -97.122338W (Sect. 17, T 18N, R 2E) | | |
| City: Stillwater | County: Payne | State: Oklahoma |



Photo File Name: Photo 8 (DSC_0012)

Orientation: South

Date of Photo: 08/28/2018

Time of Photo: 1:26 pm

Latitude: 36.035107N

Longitude: -97.131449W

Photographer: K.W. Sanborn

Description: With a calibrated YSI Pro 30 Conductivity meter, the Total Dissolved Solids (TDS) reading was over the meter limit at the point of entry. This indicated that the TDS reading at the point of entry was over 125,000 milligrams per liter (mg/L).



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 9

| | | |
|---|---------------|-----------------|
| 36.031157N, -97.122338W (Sect. 17, T 18N, R 2E) | | |
| City: Stillwater | County: Payne | State: Oklahoma |



Photo File Name: Photo 9 (DSC_0001)

Orientation: Northwest

Date of Photo: 08/28/2018

Time of Photo: 12:58 pm

Latitude: 36.033413N

Longitude: -97.122443W

Photographer: K.W. Sanborn

Description: This bridge southeast of the spill site had been pumped out prior to the inspection. The tributary continued south from this point.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 10

| | | |
|---|---------------|-----------------|
| 36.031157N, -97.122338W (Sect. 17, T 18N, R 2E) | | |
| City: Stillwater | County: Payne | State: Oklahoma |

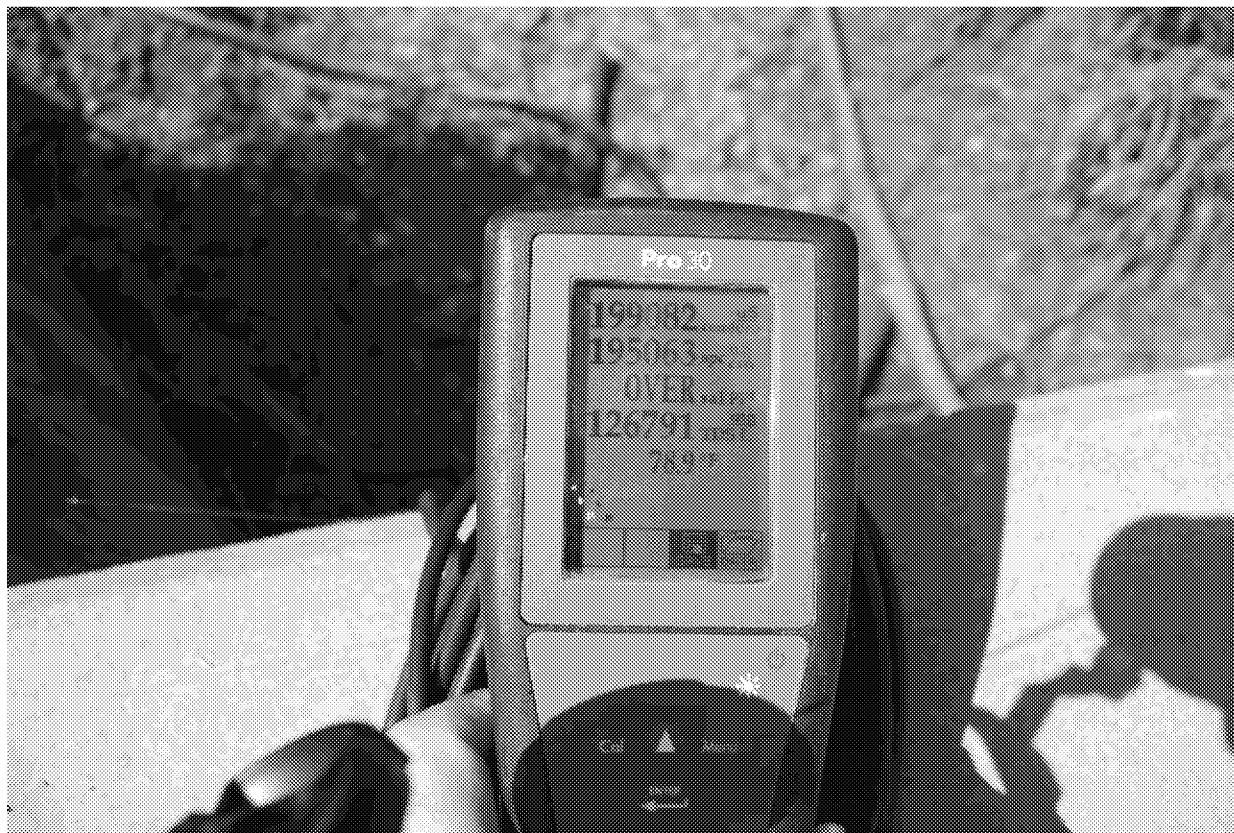


Photo File Name: Photo 10 (DSC_0002)

Orientation: West

Date of Photo: 08/28/2018

Time of Photo: 12:58 pm

Latitude: 36.033413N

Longitude: -97.122443W

Photographer: K.W. Sanborn

Description: I took a TDS reading at the bridge crossing that was 126,791 mg/L.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 11

| | | |
|---|---------------|-----------------|
| 36.031157N, -97.122338W (Sect. 17, T 18N, R 2E) | | |
| City: Stillwater | County: Payne | State: Oklahoma |



Photo File Name: Photo 11 (DSC_0019)

Orientation: South

Date of Photo: 08/28/2018

Time of Photo: 2:06 pm

Latitude: 36.028985N

Longitude: -97.121705W

Photographer: K.W. Sanborn

Description: This was the view from another County Road bridge farther southeast of the spill, downstream along the tributary of Wild Horse Creek. I observed defined banks at this location.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 12

| | | |
|---|---------------|-----------------|
| 36.031157N, -97.122338W (Sect. 17, T 18N, R 2E) | | |
| City: Stillwater | County: Payne | State: Oklahoma |

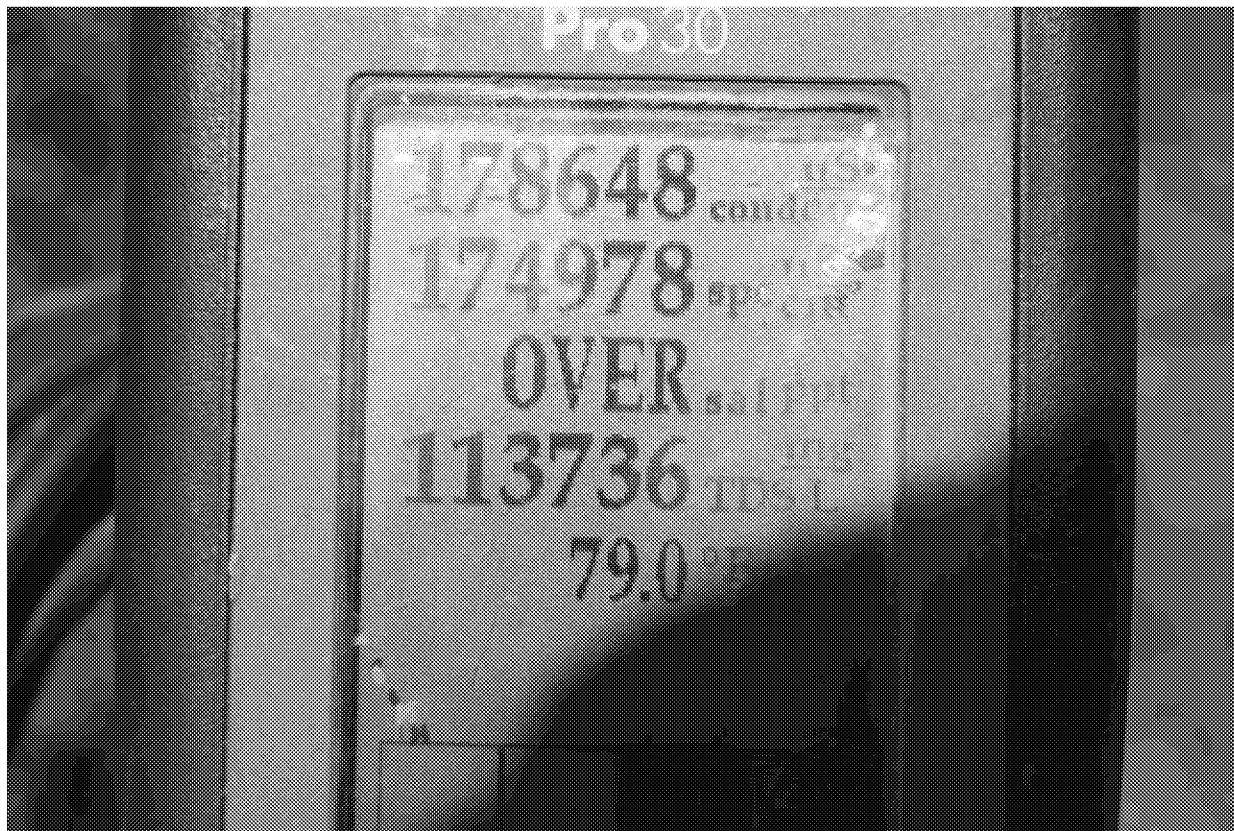


Photo File Name: Photo 12 (DSC_0021)

Orientation: South

Date of Photo: 08/28/2018

Time of Photo: 2:11 pm

Latitude: 36.028985N

Longitude: -97.121705W

Photographer: K.W. Sanborn

Description: The TDS at the location shown in Photo 11 was 113,736 mg/L.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 13

| | | |
|---|---------------|-----------------|
| 36.031157N, -97.122338W (Sect. 17, T 18N, R 2E) | | |
| City: Stillwater | County: Payne | State: Oklahoma |



Photo File Name: Photo 13 (DSC_0026)

Orientation: East

Date of Photo: 08/28/2018

Time of Photo: 2:34 pm

Latitude: 36.028426N

Longitude: -97.121660W

Photographer: K.W. Sanborn

Description: A dam had been built south of the location in Photo 11. I observed brine was still leaking through the base of the dam along the tributary of Wild Horse Creek.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 14

| | | |
|---|---------------|-----------------|
| 36.031157N, -97.122338W (Sect. 17, T 18N, R 2E) | | |
| City: Stillwater | County: Payne | State: Oklahoma |



Photo File Name: Photo 14 (DSC_0024)

Orientation: North

Date of Photo: 08/28/2018

Time of Photo: 2:33 pm

Latitude: 36.028426N

Longitude: -97.121660W

Photographer: K.W. Sanborn

Description: A truck was removing brine from the tributary shown here on the upstream side of the dirt dam, seen in Photo 13.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 15

| | | |
|---|---------------|-----------------|
| 36.031157N, -97.122338W (Sect. 17, T 18N, R 2E) | | |
| City: Stillwater | County: Payne | State: Oklahoma |



Photo File Name: Photo 15 (DSC_0025)

Orientation: South

Date of Photo: 08/28/2018

Time of Photo: 2:33 pm

Latitude: 36.028426N

Longitude: -97.121660W

Photographer: K.W. Sanborn

Description: This was a view downstream on the tributary of Wild Horse Creek from the dam location.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 16

| | | |
|---|---------------|-----------------|
| 36.031157N, -97.122338W (Sect. 17, T 18N, R 2E) | | |
| City: Stillwater | County: Payne | State: Oklahoma |



Photo File Name: Photo 16 (DSC_0023)

Orientation: South

Date of Photo: 08/28/2018

Time of Photo: 2:33 pm

Latitude: 36.028426N

Longitude: -97.121660W

Photographer: K.W. Sanborn

Description: The TDS on the downstream side of the dam was 79,354 mg/L.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 17

| | | |
|---|---------------|-----------------|
| 36.031157N, -97.122338W (Sect. 17, T 18N, R 2E) | | |
| City: Stillwater | County: Payne | State: Oklahoma |



Photo File Name: Photo 17 (DSC_0029)

Orientation: West

Date of Photo: 08/28/2018

Time of Photo: 2:41 pm

Latitude: 36.027910N

Longitude: -97.121589W

Photographer: K.W. Sanborn

Description: The tributary was shown here downstream of the dam. I observed defined banks at this location along the tributary.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 18

| | | |
|---|---------------|-----------------|
| 36.031157N, -97.122338W (Sect. 17, T 18N, R 2E) | | |
| City: Stillwater | County: Payne | State: Oklahoma |



Photo File Name: Photo 18 (DSC_0027)

Orientation: Southeast

Date of Photo: 08/28/2018

Time of Photo: 2:38 pm

Latitude: 36.027910N

Longitude: -97.121589W

Photographer: K.W. Sanborn

Description: The TDS of the tributary shown in Photo 17 was 100,543 mg/L.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 19

| | | |
|---|---------------|-----------------|
| 36.031157N, -97.122338W (Sect. 17, T 18N, R 2E) | | |
| City: Stillwater | County: Payne | State: Oklahoma |



Photo file Name: Photo 19 (DSC_0030)

Orientation: East

Date of Photo: 08/28/2018

Time of Photo: 2:43 pm

Latitude: 36.027910N

Longitude: -97.121589W

Photographer: K.W. Sanborn

Description: I observed dead fish at the location in Photo 17, in the tributary of Wild Horse Creek.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 20

| | | |
|---|---------------|-----------------|
| 36.031157N, -97.122338W (Sect. 17, T 18N, R 2E) | | |
| City: Stillwater | County: Payne | State: Oklahoma |



Photo File Name: Photo 20 (DSC_0035)

Orientation: Southeast

Date of Photo: 08/28/2018

Time of Photo: 2:45 pm

Latitude: 36.02701N

Longitude: -97.12145W

Photographer: K.W. Sanborn

Description: This was the tributary of Wild Horse Creek south of the location in Photo 17.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 21

| | | |
|---|---------------|-----------------|
| 36.031157N, -97.122338W (Sect. 17, T 18N, R 2E) | | |
| City: Stillwater | County: Payne | State: Oklahoma |



Photo File Name: Photo 21 (DSC_0031)

Orientation: South

Date of Photo: 08/28/2018

Time of Photo: 2:43 pm

Latitude: 36.02701N

Longitude: -97.12145W

Photographer: K. W. Sanborn

Description: I observed more dead fish in the tributary of Wild Horse Creek near the location in Photo 20.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 22

| | | |
|---|---------------|-----------------|
| 36.031157N, -97.122338W (Sect. 17, T 18N, R 2E) | | |
| City: Stillwater | County: Payne | State: Oklahoma |



Photo File Name: Photo 22 (DSC_0032)

Orientation: South

Date of Photo: 08/28/2018

Time of Photo: 2:44 pm

Latitude: 36.02701N

Longitude: -97.12145W

Photographer: K.W. Sanborn

Description: I observed more dead fish in the tributary at the location in Photo 20.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 23

| | | |
|---|---------------|-----------------|
| 36.031157N, -97.122338W (Sect. 17, T 18N, R 2E) | | |
| City: Stillwater | County: Payne | State: Oklahoma |

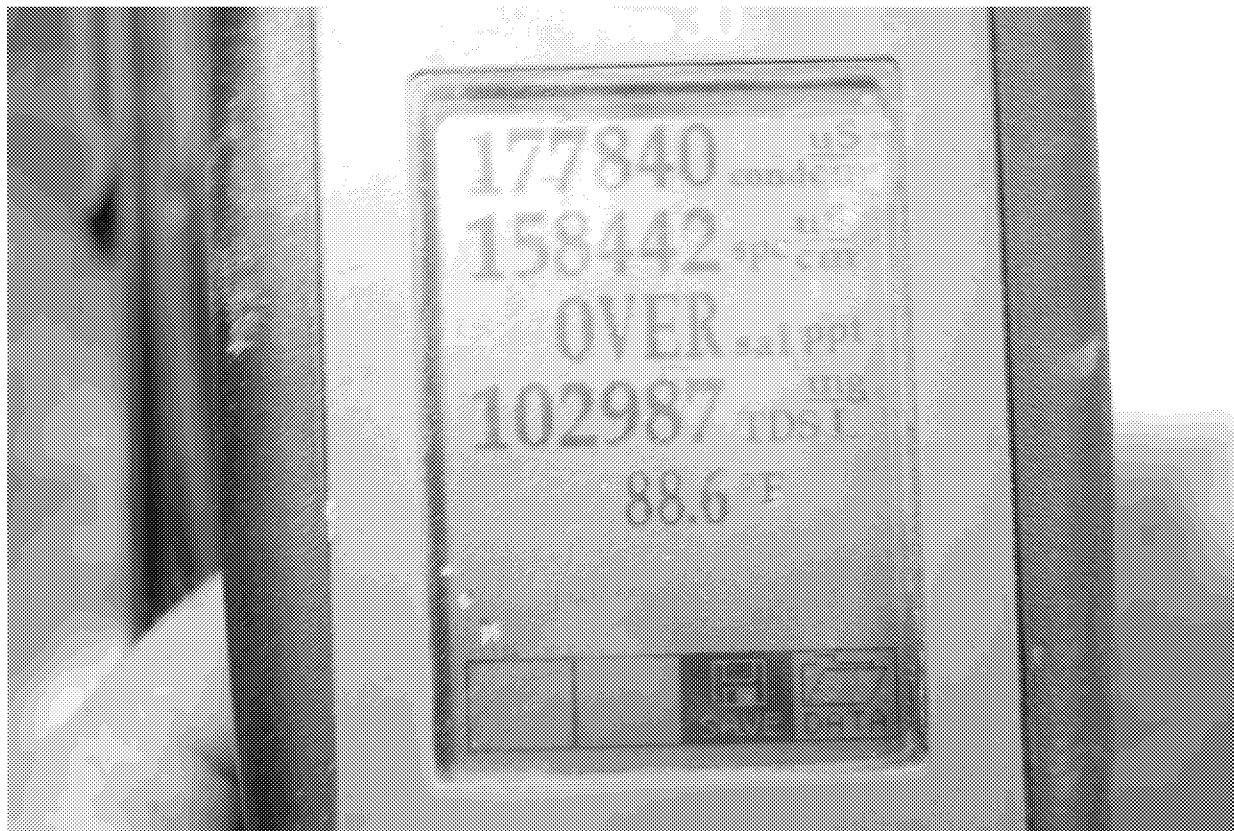


Photo File Name: Photo 23 (DSC_0034)

Orientation: South

Date of Photo: 08/28/2018

Time of Photo: 2:45 pm

Latitude: 36.02701N

Longitude: -97.12145W

Photographer: K.W. Sanborn

Description: The TDS of the tributary at Photo 20 location was 102,987 mg/L.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 24

| | | |
|---|---------------|-----------------|
| 36.031157N, -97.122338W (Sect. 17, T 18N, R 2E) | | |
| City: Stillwater | County: Payne | State: Oklahoma |



Photo File Name: Photo 24 (DSC_0036)

Orientation: South

Date of Photo: 08/28/2018

Time of Photo: 3:06 pm

Latitude: 36.023288N

Longitude: -97.121842W

Photographer: K.W. Sanborn

Description: The tributary was observed farther south as shown here. I observed defined banks and some riparian vegetation along the tributary.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 25

| | | |
|---|---------------|-----------------|
| 36.031157N, -97.122338W (Sect. 17, T 18N, R 2E) | | |
| City: Stillwater | County: Payne | State: Oklahoma |



Photo file Name: Photo 25 (DSC_0037)

Orientation: East

Date of Photo: 08/28/2018

Time of Photo: 3:06 pm

Latitude: 36.023288N

Longitude: -97.121842W

Photographer: K.W. Sanborn

Description: The TDS of the tributary shown in Photo 24 was 9,045 mg/L.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 26

| | | |
|---|---------------|-----------------|
| 36.031157N, -97.122338W (Sect. 17, T 18N, R 2E) | | |
| City: Stillwater | County: Payne | State: Oklahoma |



Photo File Name: Photo 26 (DSC_0039)

Orientation: East

Date of Photo: 08/28/2018

Time of Photo: 3:13 pm

Latitude: 36.021568N

Longitude: -97.122067W

Photographer: K.W. Sanborn

Description: Another observation of the tributary south of Photo 24 location, showed the defined banks of the tributary.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 27

| | | |
|---|---------------|-----------------|
| 36.031157N, -97.122338W (Sect. 17, T 18N, R 2E) | | |
| City: Stillwater | County: Payne | State: Oklahoma |



Photo File Name: Photo 27 (DSC_0038)

Orientation: East

Date of Photo: 08/28/2018

Time of Photo: 3:13 pm

Latitude: 36.021568N

Longitude: -97.122067W

Photographer: K.W. Sanborn

Description: The TDS of the creek at the Photo 26 location was 3,852 mg/L.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 28

| | | |
|---|---------------|-----------------|
| 36.031157N, -97.122338W (Sect. 17, T 18N, R 2E) | | |
| City: Stillwater | County: Payne | State: Oklahoma |



Photo File Name: Photo 28 (DSC_0041)

Orientation: South

Date of Photo: 08/28/2018

Time of Photo: 4:24 pm

Latitude: 36.0145N

Longitude: -97.1193W

Photographer: K.W. Sanborn

Description: This was the tributary of Wild Horse Creek south of the spill site, but not along the flow path of the brine spill into the tributary. I observed that water at this location was a representation of background water quality.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 29

| | | |
|---|---------------|-----------------|
| 36.031157N, -97.122338W (Sect. 17, T 18N, R 2E) | | |
| City: Stillwater | County: Payne | State: Oklahoma |

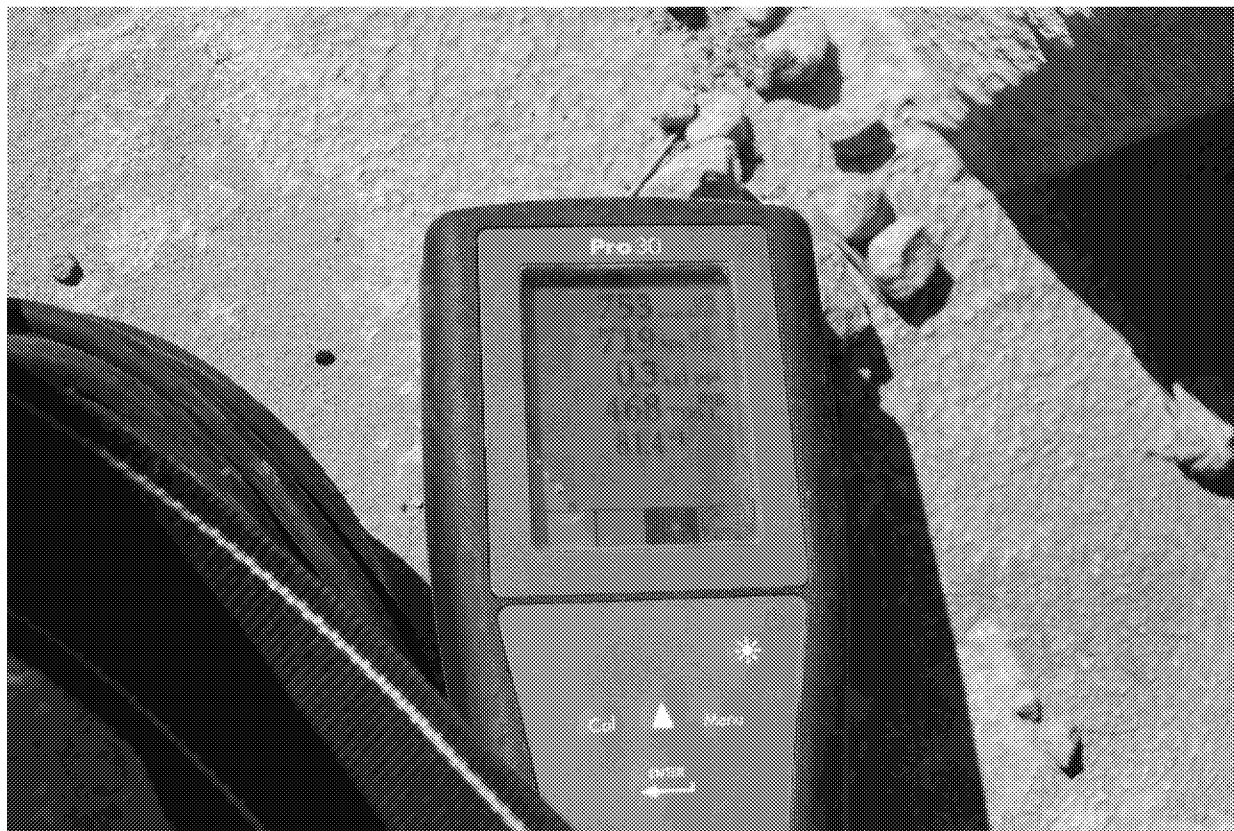


Photo file Name: Photo 29 (DSC_0040)

Orientation: North

Date of Photo: 08/28/2018

Time of Photo: 4:24 pm

Latitude: 36.0145N

Longitude: -97.1193W

Photographer: K.W. Sanborn

Description: The TDS of background water in the tributary of Wild Horse Creek in the area was 468 mg/L.

Message

From: Eckhart, Jeanne [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=DDB8E58B4707410992750A95767619CA-ECKHART, JE]
Sent: 8/29/2019 7:00:07 PM
To: Vaughn, Lorena [Vaughn.Lorena@epa.gov]
CC: Herbert, Rusty [Herbert.Rusty@epa.gov]
Subject: Public Comments on Special Energy Complaint?

Lorena,

I wanted to check for our records that you didn't receive public comments on the following Complaint:

Special Energy Corporation (Ramsey Lease), Docket No.: CWA-06-2019-1796

Thank you!

Jeanne Eckhart
Inspector and Enforcement Officer
Energy Sector Compliance Section
Enforcement and Compliance Assurance Division
Region 6, U.S. Environmental Protection Agency
Office: (214) 665 – 8174

Message

From: Vaughn, Lorena [Vaughn.Lorena@epa.gov]
Sent: 1/6/2020 6:51:04 PM
To: Allen, Jackie [Allen.Jackie@epa.gov]; Eckhart, Jeanne [Eckhart.Jeanne@epa.gov]; McDonald, Scott [mcdonald.scott@epa.gov]; Herbert, Rusty [Herbert.Rusty@epa.gov]
CC: Herbert, Rusty [Herbert.Rusty@epa.gov]; Tidmore, Guy [tidmore.guy@epa.gov]
Subject: RE: Special Energy Corporation - CWA 06-2019-1796

Flag: Follow up

It has been signed and is by the book.

From: Allen, Jackie <Allen.Jackie@epa.gov>
Sent: Monday, January 06, 2020 10:31 AM
To: Eckhart, Jeanne <Eckhart.Jeanne@epa.gov>; Vaughn, Lorena <Vaughn.Lorena@epa.gov>; McDonald, Scott <mcdonald.scott@epa.gov>; Herbert, Rusty <Herbert.Rusty@epa.gov>
Cc: Herbert, Rusty <Herbert.Rusty@epa.gov>; Tidmore, Guy <tidmore.guy@epa.gov>
Subject: RE: Special Energy Corporation - CWA 06-2019-1796

Good morning,

The original is with the RJO awaiting signature. Thanks.

From: Eckhart, Jeanne <Eckhart.Jeanne@epa.gov>
Sent: Monday, January 06, 2020 10:05 AM
To: Vaughn, Lorena <Vaughn.Lorena@epa.gov>; McDonald, Scott <mcdonald.scott@epa.gov>; Herbert, Rusty <Herbert.Rusty@epa.gov>; Allen, Jackie <Allen.Jackie@epa.gov>
Cc: Herbert, Rusty <Herbert.Rusty@epa.gov>; Tidmore, Guy <tidmore.guy@epa.gov>
Subject: RE: Special Energy Corporation - CWA 06-2019-1796

Good morning all,

Did we find the original to get to Cheryl for signature? I'll contact Cincinnati finance center to let them know they are receiving a check for a CAFO that isn't filed yet.....

Thank you,

Jeanne Eckhart
Inspector and Enforcement Officer (6ECDWE)
Energy Sector Compliance Section
Enforcement and Compliance Assurance Division
Region 6, U.S. Environmental Protection Agency
Office: (214) 665 – 8174

From: Vaughn, Lorena <Vaughn.Lorena@epa.gov>
Sent: Monday, December 30, 2019 11:27 AM
To: McDonald, Scott <mcdonald.scott@epa.gov>; Eckhart, Jeanne <Eckhart.Jeanne@epa.gov>; Herbert, Rusty

<Herbert.Rusty@epa.gov>; Allen, Jackie <Allen.Jackie@epa.gov>

Subject: RE: Special Energy Corporation - CWA 06-2019-1796

I opened them up it is in Rusty's envelope.

From: McDonald, Scott <mcdonald.scott@epa.gov>

Sent: Monday, December 30, 2019 11:25 AM

To: Vaughn, Lorena <Vaughn.Lorena@epa.gov>; Eckhart, Jeanne <Eckhart.Jeanne@epa.gov>; Herbert, Rusty <Herbert.Rusty@epa.gov>; Allen, Jackie <Allen.Jackie@epa.gov>

Subject: RE: Special Energy Corporation - CWA 06-2019-1796

Jackie,

Could you please coordinate with Lorena on this and try to identify the "original" so we can deliver to Cheryl for signature? Jerry was asking about this CAFO last week. Thanks –

Scott

From: Vaughn, Lorena <Vaughn.Lorena@epa.gov>

Sent: Monday, December 30, 2019 10:41 AM

To: Eckhart, Jeanne <Eckhart.Jeanne@epa.gov>; Herbert, Rusty <Herbert.Rusty@epa.gov>; Allen, Jackie <Allen.Jackie@epa.gov>; McDonald, Scott <mcdonald.scott@epa.gov>

Subject: Special Energy Corporation - CWA 06-2019-1796

Good Morning,

The mail in your box up on 8 has an envelope, not sure if there are 2 maybe one for scott and the other for Rusty. I received a copy of the CAFO, not sure if mine is the original or it is in the other 2 envelopes, if I have the original than you all can have it so that cheryl seager can sign off on it.

Otherwise I will open them all myself, since Jeanne is out of the office until next week.

It included copy of the check.

Let me know.

Lorena

Message

From: Eckhart, Jeanne [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=DDB8E58B4707410992750A95767619CA-ECKHART, JE]
Sent: 1/6/2020 4:53:49 PM
To: Chalifoux, Jessica [Chalifoux.Jessica@epa.gov]
CC: Tidmore, Guy [tidmore.guy@epa.gov]; Herbert, Rusty [Herbert.Rusty@epa.gov]
Subject: FW: Special Energy Corporation - CWA 06-2019-1796

Jessica,

Region 6 in the process of finalizing the Consent Agreement and Final Order with a penalty of \$12,000 with Special Energy Corporation, but the Respondent already sent a check prior to finalizing the document. I wanted to make you aware of this, so that they check got processed appropriately.

Please let me know if you need further information or a copy of the payment information.

Thank you,

Jeanne Eckhart
Inspector and Enforcement Officer (6ECDWE)
Energy Sector Compliance Section
Enforcement and Compliance Assurance Division
Region 6, U.S. Environmental Protection Agency
Office: (214) 665 – 8174

From: Allen, Jackie <Allen.Jackie@epa.gov>
Sent: Monday, January 06, 2020 10:31 AM
To: Eckhart, Jeanne <Eckhart.Jeanne@epa.gov>; Vaughn, Lorena <Vaughn.Lorena@epa.gov>; McDonald, Scott <mcdonald.scott@epa.gov>; Herbert, Rusty <Herbert.Rusty@epa.gov>
Cc: Herbert, Rusty <Herbert.Rusty@epa.gov>; Tidmore, Guy <tidmore.guy@epa.gov>
Subject: RE: Special Energy Corporation - CWA 06-2019-1796

Good morning,

The original is with the RJO awaiting signature. Thanks.

From: Eckhart, Jeanne <Eckhart.Jeanne@epa.gov>
Sent: Monday, January 06, 2020 10:05 AM
To: Vaughn, Lorena <Vaughn.Lorena@epa.gov>; McDonald, Scott <mcdonald.scott@epa.gov>; Herbert, Rusty <Herbert.Rusty@epa.gov>; Allen, Jackie <Allen.Jackie@epa.gov>
Cc: Herbert, Rusty <Herbert.Rusty@epa.gov>; Tidmore, Guy <tidmore.guy@epa.gov>
Subject: RE: Special Energy Corporation - CWA 06-2019-1796

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Thank you,

Jeanne Eckhart
Inspector and Enforcement Officer (6ECDWE)
Energy Sector Compliance Section
Enforcement and Compliance Assurance Division
Region 6, U.S. Environmental Protection Agency
Office: (214) 665 – 8174

From: Vaughn, Lorena <Vaughn.Lorena@epa.gov>
Sent: Monday, December 30, 2019 11:27 AM
To: McDonald, Scott <mcdonald.scott@epa.gov>; Eckhart, Jeanne <Eckhart.Jeanne@epa.gov>; Herbert, Rusty <Herbert.Rusty@epa.gov>; Allen, Jackie <Allen.Jackie@epa.gov>
Subject: RE: Special Energy Corporation - CWA 06-2019-1796

I opened them up it is in Rusty's envelope.

From: McDonald, Scott <mcdonald.scott@epa.gov>
Sent: Monday, December 30, 2019 11:25 AM
To: Vaughn, Lorena <Vaughn.Lorena@epa.gov>; Eckhart, Jeanne <Eckhart.Jeanne@epa.gov>; Herbert, Rusty <Herbert.Rusty@epa.gov>; Allen, Jackie <Allen.Jackie@epa.gov>
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It included copy of the check.

Let me know.

Lorena

Message

From: Allen, Jackie [Allen.Jackie@epa.gov]
Sent: 1/6/2020 8:26:06 PM
To: Eckhart, Jeanne [Eckhart.Jeanne@epa.gov]; Herbert, Rusty [Herbert.Rusty@epa.gov]
Subject: RE: Special Energy Corporation - CWA 06-2019-1796

Thanks. I have certified numbers and I will only mail out the 2 originals and you or (MaryAnne) mails out the cc's. I will send you and updated scanned copy with the letter. Thanks.

From: Eckhart, Jeanne <Eckhart.Jeanne@epa.gov>
Sent: Monday, January 06, 2020 2:17 PM
To: Allen, Jackie <Allen.Jackie@epa.gov>; Herbert, Rusty <Herbert.Rusty@epa.gov>
Subject: RE: Special Energy Corporation - CWA 06-2019-1796

Jackie,

This can be used, let me know what assistance you need for it. It'll need a certified mail number, let me know you need that.

Thank you!

Jeanne Eckhart
Inspector and Enforcement Officer (6ECDWE)
Energy Sector Compliance Section
Enforcement and Compliance Assurance Division
Region 6, U.S. Environmental Protection Agency
Office: (214) 665 – 8174

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It included copy of the check.

Let me know.

Lorena

Message

From: Herbert, Rusty [Herbert.Rusty@epa.gov]
Sent: 10/7/2019 7:17:14 PM
To: Eckhart, Jeanne [Eckhart.Jeanne@epa.gov]
Subject: FW: Special Energy Corp., Docket No. CWA-06-2019-1796

Did you see this already ?

From: Herbert, Rusty
Sent: Monday, October 7, 2019 2:07 PM
To: Arias, Jack <Arias.Jack@epa.gov>
Subject: FW: Special Energy Corp., Docket No. CWA-06-2019-1796

fyi

From: John Lee [mailto:jlee@leelawconsulting.com]
Sent: Tuesday, September 24, 2019 2:42 PM
To: Herbert, Rusty <Herbert.Rusty@epa.gov>
Cc: Gary Bond <Gary.Bond@SpecialEnergyCorp.com>; John Special <John.Special@SpecialEnergyCorp.com>
Subject: Special Energy Corp., Docket No. CWA-06-2019-1796

Mr. Herbert,

Pursuant to our conversation of this date, please supply this office with a copy of your proposed *Consent Agreement and Consent Order* whereunder the parties settle the referenced case by Special Energy Corp.'s payment of \$12,000.00 as civil assessment imposed due to its statutory/regulatory strict liability for the spill as the operator of Facility No. OKU000873, while not admitting fault or other legal or equitable culpability.

Upon our approval, the *Consent Agreement and Consent Order* will be signed by Gary Bond, Vice-President of Special Energy Corp.

Thanks for your attention to this matter.

John E. Lee, III
Lee Law & Consulting, LLC
1800 Canyon Park Circle
Suite 201
Edmond, OK 73013
(405) 844-7000

This e-mail message and any attachment thereto is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the recipient or reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this e-mail communication in error, please notify us immediately by sending a reply e-mail message to jlee@leelawconsulting.com.

Message

From: Sanborn, Kent [Sanborn.Kent@epa.gov]
Sent: 8/30/2018 6:37:50 PM
To: Eckhart, Jeanne [Eckhart.Jeanne@epa.gov]
Subject: Fwd: OK Saltwater Spill

Sent from my iPhone

Begin forwarded message:

From: "Hayes, Mark" <hayes.mark@epa.gov>
Date: August 24, 2018 at 3:43:13 PM CDT
To: "Tidmore, Guy" <tidmore.guy@epa.gov>
Cc: "Sanborn, Kent" <Sanborn.Kent@epa.gov>
Subject: OK Saltwater Spill

Guy,

Fyi, a saltwater spill occurred in Stillwater, OK that impacted a dry creek bed. No waterway impact reported and release has been secured. NRC report below.

NATIONAL RESPONSE CENTER 1-800-424-8802
GOVERNMENT USE ONLYGOVERNMENT USE ONLY***
Information released to a third party shall comply with any
applicable federal and/or state Freedom of Information and Privacy Laws

Incident Report # 1222594

INCIDENT DESCRIPTION

*Report taken by NRC at 15:27 on 24-AUG-18

Incident Type: PIPELINE
Incident Cause: UNKNOWN
Affected Area:

Incident occurred on 24-AUG-18 at 13:00 local incident time.

Affected Medium: LAND / SOIL/ DRY CREEK BED

REPORTING PARTY

Name: SAM CABBINESS
Organization: SPECIAL ENERGY CORPORATION
Address: PO BOX 369

STILLWATER, OK 74076

PRIMARY Phone: (405)7427865

Type of Organization: PRIVATE ENTERPRISE

SUSPECTED RESPONSIBLE PARTY

Name: SAM CABBINESS
Organization: SPECIAL ENERGY CORPORATION

Address: PO BOX 369
STILLWATER, OK 74076

PRIMARY Phone: (405)7427865

Type of Organization: PRIVATE ENTERPRISE

INCIDENT LOCATION

County: PAYNE
City: STILLWATER State: OK
INTERSECTION OF 80TH AND COUNTRY CLUB ROAD: LAT/LONG 36.02854 N, 97.12223 W

RELEASED MATERIAL

CHRIS Code: DZB Official Material Name: DRILLING BRINE (WITH ZINC SALTS)

Also Known As:

Qty Released: 3000 BARREL(S)

CHRIS Code: OIL Official Material Name: OIL: CRUDE

Also Known As:

Qty Released: 90 BARREL(S)

DESCRIPTION OF INCIDENT

CALLER REPORTED APPROXIMATELY 90 BARRELS OF CRUDE OIL AND 3000 BARRELS OF DRILLING BRINE

INCIDENT DETAILS

Pipeline Type: FLOW
DOT Regulated: NO
Pipeline Above/Below Ground: BELOW

Exposed or Under Water: NO
Pipeline Covered: UNKNOWN

IMPACT

Fire Involved: NO Fire Extinguished: UNKNOWN

INJURIES: NO Sent to Hospital: Empl/Crew:

FATALITIES: NO Empl/Crew: Passenger:

EVACUATIONS: NO Who Evacuated: Radius/Area:

Damages: NO

| <u>Closure Type</u> | <u>Description of Closure</u> | <u>Hours Closed</u> | <u>Dir</u> |
|---------------------|-------------------------------|---------------------|------------|
| Air: | NO | | |
| Road: | NO | | |
| Waterway: | NO | | |
| Track: | NO | | |

Passengers Transferred: NO
Environmental Impact: UNKNOWN
Media Interest: UNKNOWN Community Impact due to Material:

REMEDIAL ACTIONS

MATERIAL CONTAINED, VAC TRUCK USED, ISOLATED AREA, CLEAN UP CREW ON-SITE

Release Secured: YES
Release Rate:
Estimated Release Duration:

WEATHER

Weather: SUNNY, 92°F

ADDITIONAL AGENCIES NOTIFIED

Federal:

State/Local: OCC

State/Local On Scene:

State Agency Number:

NOTIFICATIONS BY NRC

CENTERS FOR DISEASE CONTROL (GRASP)

24- 15:34 (770)4887100

AUG-

18

COLORADO INFO ANALYSIS CENTER (FUSION CENTER)

24- 15:34 (720)8526705

AUG-

18

DHS DEFENSE THREAT REDUCTION AGENCY (CHEMICAL AND BIOLOGICAL TECHNOLOGIES DEPARTMENT)

24- 15:34 (703)7673477

AUG-

18

DHS PROTECTIVE SECURITY ADVISOR (PSA DESK)

24- 15:34 (703)2359349

AUG-

18

DOT CRISIS MANAGEMENT CENTER (MAIN OFFICE)

24- 15:34 (202)3661863

AUG-

18

U.S. EPA VI (MAIN OFFICE)

24- 15:36 (866)3727745

HAYES

AUG-

18

GULF STRIKE TEAM (MAIN OFFICE)

24- 15:34 (251)4416601

AUG-

18

NATIONAL INFRASTRUCTURE COORD CTR (MAIN OFFICE)

24- 15:34 (202)2829201

AUG-

18

NOAA RPTS FOR OK (MAIN OFFICE)

24- 15:34 (206)5264911

AUG-

18

NTSB PIPELINE (MAIN OFFICE)

24- 15:34 (202)3146293

AUG-

18

OFC OF ENV SVC CHEROKEE NATIONS OK (MAIN OFFICE)

24- 15:34 (918)4585496

AUG-

18

OKLAHOMA INFORMATION FUSION CENTER (FUSION COMMAND CENTER)

24- 15:34 (405)8792608

AUG-

18

PAWNEE NATION (DEPT ENVIRONMENTAL CONSERVATION AND SAFETY)

24- 15:34 (918)7623655

AUG-

18

PIPELINE & HAZMAT SAFETY ADMIN (OFFICE OF PIPELINE SAFETY (AUTO))

24- 15:34 (202)3660568

AUG-

18

SAC AND FOX NATION (EMERGENCY MANAGEMENT)

24- 15:34 (918)9680046

AUG-

18

SECTOR LOWER MISSISSIPPI RIVER (AUTO NRC NOTIFICATIONS)

24- 15:34 (901)5214804

AUG-

18

DEQ OKLAHOMA (MAIN OFFICE)

24- 15:34 (405)7026206

AUG-

18

USCG DISTRICT 8 (MAIN OFFICE)

24- 15:34 (504)5896225

AUG-

18

U.S. FISH AND WILDLIFE (REGION 2 SPILL RESPONSE COORDINATOR)

24- 15:34 (505)2486652

AUG-

18

ADDITIONAL INFORMATION

*** END INCIDENT REPORT #

1222594 ***

Report any problems by calling 1-800-424-8802

PLEASE VISIT OUR WEB SITE AT <http://www.nrc.uscg.mil>

V/r

Mark A. Hayes

On-Scene Coordinator
Superfund Division (6SF-EO)
US EPA Region 6
214-665-2705

Message

From: McDonald, Scott [mcdonald.scott@epa.gov]
Sent: 1/6/2020 11:53:14 PM
To: Herbert, Rusty [Herbert.Rusty@epa.gov]; Eckhart, Jeanne [Eckhart.Jeanne@epa.gov]
Subject: FW: Special Energy Corporation - CWA 06-2019-1796
Attachments: Special Energy Corporation (CWA-06-2019-1796) Final CAFO.pdf

Flag: Follow up

See attachment in case you need:

From: Allen, Jackie <Allen.Jackie@epa.gov>
Sent: Monday, January 06, 2020 2:10 PM
To: McDonald, Scott <mcdonald.scott@epa.gov>
Subject: FW: Special Energy Corporation - CWA 06-2019-1796

FYI

From: Allen, Jackie
Sent: Monday, January 06, 2020 2:08 PM
To: Eckhart, Jeanne <Eckhart.Jeanne@epa.gov>; Herbert, Rusty <Herbert.Rusty@epa.gov>
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Message

From: Elder-Schweers, Pam [Elder-Schweers.Pam@epa.gov]
Sent: 1/8/2020 1:07:36 PM
To: Eckhart, Jeanne [Eckhart.Jeanne@epa.gov]; Tidmore, Guy [tidmore.guy@epa.gov]
Subject: FYI : Special Energy Corporation -CWA 06-2019-1796
Attachments: Scanned_from_8_8325_LX_CX825_201-07-2020-155330.pdf

Flag: Follow up

Pamela Elder-Schweers

Special Assistant to
Branch Chief, Jerry Saunders
Water Enforcement Branch
Enforcement and Compliance Assurance Division
1201 Elm Street, Suite 500
Dallas, TX 75270
(WK) 214-665-7463
(Fax) 214-665-2168
Email: elder-schweers.pam@epa.gov

From: Vaughn, Lorena <Vaughn.Lorena@epa.gov>
Sent: Tuesday, January 07, 2020 4:00 PM
To: CINWD AcctsReceivable <CINWD_AcctsReceivable@epa.gov>; Chalifoux, Jessica <Chalifoux.Jessica@epa.gov>;
Ruple, Rhonda <ruple.rhonda@epa.gov>; Whitten-Hill, Darlene <Whitten-Hill.Darlene@epa.gov>; Elder-Schweers, Pam
<Elder-Schweers.Pam@epa.gov>
Subject: Special Energy Corporation -CWA 06-2019-1796

From: 8_8325_LX_CX825_2@epa.gov <8_8325_LX_CX825_2@epa.gov>
Sent: Tuesday, January 07, 2020 3:54 PM
To: Vaughn, Lorena <Vaughn.Lorena@epa.gov>
Subject:

Message

From: Eckhart, Jeanne [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=DDB8E58B4707410992750A95767619CA-ECKHART, JE]
Sent: 7/25/2019 5:59:31 PM
To: Koss, Larry [Koss.Larry@epa.gov]
CC: Tidmore, Guy [tidmore.guy@epa.gov]; Herbert, Rusty [Herbert.Rusty@epa.gov]
Subject: Public Notice Posting for Enforcement Action - Special Energy
Attachments: 6ENWR.SpecialEnergyLLC.APO.OKU000873.07.25.2019.pdf;
6ENWE.SpecialEnergyCorporation.APOPublicNoticev2.OKU000873.07.25.2019.docx

Larry,

Attached is the document and summary of info you need for a public notice posting of an action. Guy, can you please approve this for public notice posting?

Rusty, the attached PDF APO is for your records!

Thank you,

Jeanne Eckhart
Inspector and Enforcement Officer
Energy Sector Compliance Section
Enforcement and Compliance Assurance Division
Region 6, U.S. Environmental Protection Agency
Office: (214) 665 – 8174

Title: Proposed Administrative Penalty Order against Special Energy Corporation for Clean Water Act violations

State: Oklahoma

Publish date: 07/25/2019

Summary Statement:

In accordance with Section 309(g)(4)(A) of the Clean Water Act ("CWA"), 33 U.S.C. § 1319(g)(4)(A), and 40 C.F.R. § 22.45 of the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits ("Consolidated Rules"), the Environmental Protection Agency ("EPA") is providing notice of a proposed Administrative Penalty Assessment against Special Energy Corporation.

Under Section 309(g) of the CWA, 33 U.S.C. § 1319(g), the EPA is authorized to issue orders assessing civil penalties for various violations of the CWA. The EPA may issue such orders after filing a Complaint commencing either a Class I or Class II penalty proceeding. The EPA provides notice of the proposed assessment of a Class I civil penalty pursuant to 33 U.S.C. § 1319(g)(4)(B). Class I proceedings are conducted under the EPA's Consolidated Rules, 40 C.F.R. Part 22.

In this action, EPA is proposing an Administrative Penalty Order ("APO") under its authority pursuant to Section 309 of the CWA against Special Energy Corporation for violation of Section 301 of the CWA, 33 U.S.C. § 1311. Under Section 301 of the CWA, it is unlawful for any person to discharge any pollutant from a point source to waters of the United States, except with the authorization of, and in compliance with, a National Pollutant Discharge Elimination System ("NPDES") permit issued pursuant to Section 402 of the CWA, 33 U.S.C. § 1342. Respondent owned or operated an oil field disposal and production facility identified as the Ramsey Lease located near Stillwater, Payne County, Oklahoma. EPA inspected this facility on August 28, 2018 and observed that pollutants, specifically oil field brine and produced water, had been discharged from the facility to the tributary of Wild Horse Creek, waters of the United States. The violation alleged in the APO is for the unauthorized discharge of pollutants, specifically oil field brine and produced water, to a water of the United States. The APO proposes a Class I civil penalty of \$12,000.00. Respondent must respond to EPA, Region 6 within thirty days.

Program: Clean Water Act (CWA)

Respondent Information:

Name: Special Energy Corporation

Address: 4815 S. Perkins Road

City, State: Stillwater Oklahoma

Zipcode: 74074

Proposed Action: Enforcement

Docket number: CWA-06-2019-1796

Comments accepted through: 08/25/2019

How to Comment Dialogue Box

How to Comment

Persons wishing to comment on the EPA's proposed action or to become participants in this action may do so by submitting their address and telephone number, along with written comments, to the Regional Hearing Clerk at the address below within 30 day of the date of this notice.

Written comments should reference Docket Number CWA-06-2019-1796 and should be sent to:

Ms. Lorena Vaughn, Regional Hearing Clerk
U.S. Environmental Protection Agency
Region 6
1201 Elm Street
Dallas, Texas 75270-2102
214-665-8021

Questions? For additional information, contact Jeanne Eckhart at eckhart.jeanne@epa.gov or 214-665-8174.

Metadata tag: Description (Max 256 Characters): EPA is authorized to issue Orders assessing civil penalties for various violations of the Clean Water Act ("CWA"). EPA is providing notice of a proposed administrative penalty assessment against Perdure Petroleum, LLC for alleged violations of the CWA.

Metadata tag: Keywords:

Metadata tag: "DC.type" "Announcements and Schedules"

Metadata tag: "DC.Subject.epachannel" "Laws and Regulations"

Attachment filename: 6ENWR.SpecialEnergyLLC.APO.OKU000873.07.25.2019.pdf

Number of pages: 11

Message

From: Allen, Jackie [Allen.Jackie@epa.gov]
Sent: 1/6/2020 8:34:15 PM
To: Eckhart, Jeanne [Eckhart.Jeanne@epa.gov]; Herbert, Rusty [Herbert.Rusty@epa.gov]
CC: McDonald, Scott [mcdonald.scott@epa.gov]; Tidmore, Guy [tidmore.guy@epa.gov]
Subject: Special Energy Corporation Final CAFO (CWA-06-2019-1796)
Attachments: Special Energy Corporation (CWA-06-2019-1796) Final CAFO.pdf

Message

From: Eckhart, Jeanne [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=DDB8E58B4707410992750A95767619CA-ECKHART, JE]
Sent: 12/12/2019 4:28:47 PM
To: Tidmore, Guy [tidmore.guy@epa.gov]
Subject: FW: Consent Agreement and Final Order, In Re Special Energy Corporation, Docket No. CWA-06-2019-1796
Attachments: Consent Ag. and Final Order.pdf; Revised Paragraph 9 of Consent Agreement and Final Order.docx

FYI

From: Herbert, Rusty <Herbert.Rusty@epa.gov>
Sent: Thursday, December 12, 2019 10:24 AM
To: Eckhart, Jeanne <Eckhart.Jeanne@epa.gov>
Subject: FW: Consent Agreement and Final Order, In Re Special Energy Corporation, Docket No. CWA-06-2019-1796

FYI

From: John Lee [mailto:jlee@leelawconsulting.com]
Sent: Thursday, December 12, 2019 10:04 AM
To: Herbert, Rusty <Herbert.Rusty@epa.gov>
Cc: Gary Bond <Gary.Bond@SpecialEnergyCorp.com>; Donna Cavin <dcavin@leelawconsulting.com>
Subject: Consent Agreement and Final Order, In Re Special Energy Corporation, Docket No. CWA-06-2019-1796

Mr. Herbert,

Attached is a copy of the EPA-proposed Consent Agreement and Final Order we received via certified mail a few days ago.

My understanding of our agreement, as set out in my email of September 24, 2019, is that Special Energy Corp. (SEC) will pay \$12,000.00 as civil assessment imposed due to its statutory/regulatory strict liability for the spill as the operator of Facility No. OKU000873, while not admitting fault or other legal or equitable culpability.

Numerical paragraph (9) of the EPA-proposed Consent Agreement and Final Order contains an admission of fault by SEC, which is not consistent with my understanding of our agreement.

Attached, for your review and comment, is my proposed revised numerical paragraph (9) of the EPA-proposed Consent Agreement and Final Order which we believe honors our agreement.

If it meets with your approval, please supply me with the Consent Agreement and Final Order which incorporates the changes to numerical paragraph (9) and I will see that it is executed by SEC and that the contemplated \$12,000 payment is timely made.

Thanks,

John E. Lee, III
Lee Law & Consulting, LLC
1800 Canyon Park Circle
Suite 201
Edmond, OK 73013
(405) 844-7000

This e-mail message and any attachment thereto is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the recipient or reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this e-mail communication in error, please notify us immediately by sending a reply e-mail message to jlee@leelawconsulting.com.

Message

From: Eckhart, Jeanne [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=DDB8E58B4707410992750A95767619CA-ECKHART, JE]
Sent: 12/3/2019 9:49:21 PM
To: Herbert, Rusty [Herbert.Rusty@epa.gov]
CC: Tidmore, Guy [tidmore.guy@epa.gov]
Subject: FYI - Special Energy CAFO draft going out for company signature
Attachments: 6ECDWE.SpecialEnergyCorporation.DraftCAFO.OKU000873.12.03.2019.pdf;
6ECDWE.SpecialEnergyCorporation.DraftCAFOConcurrence.OKU000873.12.03.2019.pdf

FYI. Special Energy Draft CAFO attached and mailed today.

Thank you!

Jeanne Eckhart
Inspector and Enforcement Officer (6ECDWE)
Energy Sector Compliance Section
Enforcement and Compliance Assurance Division
Region 6, U.S. Environmental Protection Agency
Office: (214) 665 – 8174



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1201 Elm Street, SUITE 500
DALLAS, TEXAS 75270-2102

CERTIFIED MAIL – RETURN RECEIPT REQUESTED: 7005 1820 0003 7456 1968

Mr. John Special, Owner
Special Energy Corporation
4815 S. Perkins Road
Stillwater, Oklahoma 74074

CERTIFIED MAIL – RETURN RECEIPT REQUESTED: 7005 1820 0003 7456 1951

Mr. John E. Lee, III
Lee Law & Consulting, LLC
1800 Canyon Park Circle, Suite 201
Edmond, OK 73013

Re: Consent Agreement and Final Order
Docket Number: CWA-06-2019-1796
Facility Number: OKU000873

Dear Mr. Special:

Enclosed is the proposed Consent Agreement and Final Order (CAFO) that contains the settlement terms that have been agreed upon regarding the alleged environmental violations by Special Energy Corporation. If you do not have any concerns regarding the CAFO, please sign the CAFO, and return it, with original signature, to the attention of Mr. Rusty Herbert (ORCEW) within ten (10) days of receipt of the CAFO. Also, please forward a copy via mail or email of the signed CAFO to Ms. Jeanne Eckhart (ECDWE).

If you have any questions regarding this matter, please contact Mr. Rusty Herbert, at (281) 983-2218 or Ms. Jeanne Eckhart, at (214) 665-8174.

Sincerely,

A handwritten signature in black ink, appearing to be "Cheryl T. Seager", is written over a horizontal line.

Cheryl T. Seager, Director
Enforcement and
Compliance Assurance Division

Enclosure

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 6

In the Matter of:

Special Energy Corporation
Respondent

Facility Numbers: OKU000873

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§

DOCKET NO. CWA-06-2019-1796

CONSENT AGREEMENT AND FINAL ORDER

I. PRELIMINARY STATEMENT

1. This Consent Agreement and Final Order (“CAFO”) is issued under the authority vested in the United States Environmental Protection Agency (“EPA”) pursuant to Section 309(g) of the Clean Water Act (“the Act”), 33 U.S.C. § 1319(g). This CAFO is issued in accordance with 40 C.F.R. § 22.18, as described in the “Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits,” 40 C.F.R. Part 22.

2. On July 25, 2019, EPA Region 6 issued to Special Energy Corporation (“Respondent”) an Administrative Complaint (“Complaint”) under Section 309(g) of the Act, 33 U.S.C. § 1319(g), which proposed to assess a civil penalty against Respondent, and gave notice of Respondent’s opportunity to request a hearing on the proposed administrative penalty assessment.

3. Respondent and EPA (collectively, “Parties”) agree that settlement of the relevant matters without litigation will save time and resources, that it is in the public’s interest, and that the entry of this CAFO is the most appropriate means of resolving such matters. Compliance with all the terms and conditions of this CAFO resolves only those violations alleged in the Complaint.

4. Respondent admits the jurisdictional allegations of the Complaint; however, Respondent neither admits nor denies the specific factual allegations and conclusions of law contained in the Complaint or the Findings of Fact and Conclusions of Law contained in this CAFO.

5. Respondent expressly waives any right to contest the factual allegations or conclusions of law contained in the Complaint and this CAFO and waives its right to appeal the Final Order set forth herein.

6. Before the taking of any testimony, and without adjudication of any issue of law or fact, the Parties agree to the terms of this CAFO and to its issuance. Respondent consents to the assessment and payment of a civil penalty in the amount and by the method stated below.

II. FINDINGS OF FACT AND CONCLUSIONS OF LAW

7. Respondent is a corporation which is incorporated under the laws of the State of Texas, doing business in the State of Oklahoma, and as such, Respondent is a "person," as that term is defined at Section 502(5) of the Act, 33 U.S.C. § 1362(5), and 40 C.F.R. § 122.2.

8. At all times relevant to this action ("all relevant times"), Respondent owned or operated an oil field disposal and production facility known as the Ramsey Lease, located near Stillwater, Payne County, Oklahoma ("facility") and was, therefore, an "owner or operator" within the meaning of 40 C.F.R. § 122.2.

9. The Complaint specified Findings of Fact and Conclusions of Law that are hereby incorporated by reference and alleged, among other things, that at the relevant times: Respondent was a "person" that "owned or operated" a facility that was a "point source" subject to "discharges" of "pollutants" to identified "waters of the United States" within the meaning of Section 502 of the Act, 33 U.S.C. § 1362, and 40 C.F.R. § 122.2; Respondent and the facility were subject to the

provisions of the Act, 33 U.S.C. §§ 1251-1387 *et seq.*, and the National Pollutant Discharge Elimination System (“NPDES”) program; and Respondent violated Section 301 of the Act, 33 U.S.C. § 1311, by discharging pollutants, specifically oil field brine and produced wastewater, to waters of the United States, as specified in the Complaint.

10. With the issuance of the Complaint, the Oklahoma Corporation Commission and the Oklahoma Department of Environmental Quality were notified and given an opportunity to consult with EPA regarding the proposed assessment of an administrative penalty against Respondent.

11. EPA notified the public of the Complaint via the internet at <https://www.epa.gov/publicnotices> and afforded the public thirty (30) days to comment on the Complaint and proposed penalty. At the expiration of the notice period, EPA received no comments from the public.

III. TERMS OF SETTLEMENT

A. PENALTY PROVISIONS

12. Based on the foregoing Findings of Fact and Conclusions of Law, EPA Region 6, considering the relevant criteria pursuant to Section 309(g)(3) of the Act, 33 U.S.C. § 1319(g)(3), and acting pursuant to the authority of Section 309(g) of the Act, 33 U.S.C. § 1319(g), hereby orders that Respondent shall pay to the United States a civil penalty in the amount of twelve thousand dollars (\$12,000) to settle the violations as alleged in the Complaint, in accordance with 40 C.F.R. § 22.18(c).

13. Payment shall be made within thirty (30) days of the effective date of this CAFO by one of the below methods:

- a. Mailing a bank check, a cashier's check or certified check, payable to "Treasurer of the United States," to the following address:

U.S. Environmental Protection Agency
Fines and Penalties
Cincinnati Finance Center
P.O. Box 979077
St. Louis, MO 63197-9000

- b. Wire Transfer to:

Federal Reserve Bank of New York
ABA: 021030004
Account Number: 68010727
SWIFT address: FRNYUS33
33 Liberty Street
New York, NY 10045
Field Tag 4200 of the Fedwire message should read:
"D68010727 Environmental Protection Agency"

- c. Overnight mail (Express, FedEx, DHL, etc.) to:

U.S. Bank
Government Lockbox 979077
U.S. EPA Fines & Penalties
1005 Convention Plaza
SL-MO-C2-GL
St. Louis, MO 63101
Phone: 314-418-1028

- d. ACH Payments to:

U.S. Treasury REX/Cashlink ACH Receiver
ABA: 051036706
Acct. Number: 310006
Environmental Protection Agency
CTX Format Transaction Code 22 – Checking
Physical location of U.S. Treasury facility:
5700 Rivertech Ct.
Riverdale, MD 20737

- e. Payment by Credit Card, Debit Card, or Checking Account (only up to \$24,999.99)

Online: www.pay.gov

Follow these steps to make a payment:

1. You do not need a user name and password or account.
2. Enter SF0 1.1 in the form search box on the top left side of the screen.
3. Open the form and follow the on-screen instructions.
4. Select type of payment from the "Type of Payment" drop down menu.
5. Based on your selection, the corresponding line will open and no longer be shaded gray.
6. Enter the docket number, invoice number or other corresponding information into the field.

"In the Matter of Special Energy Corporation, Docket No. CWA-06-2019-1796" should be clearly marked on the check to ensure credit for payment.

14. Respondent shall send simultaneous notice of payment, including a copy of the check, or other remittance, to each of the following:

- (a) Regional Hearing Clerk (ORC)
U.S. EPA, Region 6
1201 Elm Street, Suite 500
Dallas, TX 75270-2102
- (b) Chief, Energy Sector Compliance Section (ECDWE)
U.S. EPA, Region 6
1201 Elm Street, Suite 500
Dallas, TX 75270-2102
- (c) Chief, Water Legal Branch (ORCEW)
U.S. EPA, Region 6
1201 Elm Street, Suite 500
Dallas, TX 75270-2102

Respondent's adherence to these procedures will ensure proper credit when payment is received by EPA.

15. Respondent agrees not to claim or attempt to claim a federal income tax deduction or credit covering all or any part of the civil penalty paid to the United States Treasurer.

16. Pursuant to 31 U.S.C. § 3717 and 40 C.F.R. § 13.11, unless otherwise prohibited by law, EPA will assess interest and late payment penalties on outstanding debts owed to the United States that are not paid by the due date and a charge to cover the cost of processing and handling a delinquent claim. Interest on the civil penalty assessed in this CAFO will begin to accrue thirty (30) days after the effective date of the CAFO and will be recovered by EPA on any amount of the civil penalty that is not paid by the respective due date. Interest will be assessed at the rate of the United States Treasury tax and loan rate in accordance with 40 C.F.R. § 13.11(a). Moreover, the costs of the Agency's administrative handling of overdue debts will be charged and assessed monthly throughout the period the debt is overdue. See 40 C.F.R. § 13.11(b).

17. EPA will also assess a fifteen dollar (\$15.00) administrative handling charge for administrative costs on unpaid penalties for the first thirty (30)-day period after the payment is due and an additional fifteen dollars (\$15.00) for each subsequent thirty (30)-day period that the penalty remains unpaid. In addition, a penalty charge of up to six percent (6%) per year will be assessed monthly on any portion of the debt which remains delinquent more than ninety (90) days. See 40 C.F.R. § 13.11(c). Should a penalty charge on the debt be required, it shall accrue from the first day payment is delinquent. See 31 C.F.R. § 901.9(d). Other penalties for failure to make a payment may also apply.

18. Pursuant to Section 309(g)(9) of the Act, 33 U.S.C. § 1319(g)(9), any person who fails to pay on a timely basis a civil penalty ordered or assessed under this section shall be required to pay, in addition to such penalty and interest, the United States' enforcement expenses including, but not limited to, attorneys' fees and costs incurred by the United States for collection proceedings, and a quarterly non-payment penalty for each quarter during which such failure to pay persists. Such non-payment penalty shall be twenty percent (20%) of the aggregate amount

of such person's outstanding penalties and non-payment penalties accrued as of the beginning of each quarter.

19. Failure by Respondent to pay the penalty assessed according to the terms of this CAFO, in full, by its due date, may subject Respondent to a civil action to collect the assessed penalty and any accrued interest and penalties.

20. In the event a collection action is necessary, Respondent shall pay – in addition to any applicable penalty, fees, and interest described herein – all reasonable costs and expenses, including legal expenses and court costs, incurred by the United States for enforcement and collection proceedings for non-payment of the amounts agreed hereunder, pursuant to Section 309(g)(9) of the Act, 33 U.S.C. § 1319(g)(9). In any such collection action, the validity, amount, and appropriateness of the penalty, and the terms of this CAFO shall not be subject to review.

IV. GENERAL PROVISIONS

21. To execute this Agreement, Respondent shall forward this copy of the CAFO, with original signature, to:

Mr. Rusty Herbert (ORCEW)
U.S. EPA, Region 6
1201 Elm Street, Suite 500
Dallas, TX 75270-2102

22. Respondent shall also send a copy of the CAFO to the following EPA staff assigned to this case via mail or email:

Ms. Jeanne Eckhart (ECDWE)
U.S. EPA, Region 6
1201 Elm Street, Suite 500
Dallas, TX 75270-2102
eckhart.jeanne@epa.gov

23. Issuance of this CAFO does not relieve Respondent from responsibility to comply with all requirements of the Act and the requirements of any permits issued thereunder, as described in

Section 309(g)(7) of the Act, 33 U.S.C. § 1319(g)(7), nor does it constitute a waiver by EPA of its right to enforce compliance with the requirements of Respondent's permits or other requirements of the Act by actions pursuant to Section 309 of the Act, 33 U.S.C. § 1319.

24. The provisions of this CAFO shall be binding upon Respondent, its officers or officials, managers, employees, and their successors or assigns, in their capacity on behalf of Respondent.

25. Each party agrees to bear its own costs and attorneys' fees in this matter, except to the extent that Respondent may be responsible for reasonable costs and expenses of enforcement and collection proceedings for failure to comply with the terms of this CAFO.

26. Each undersigned representative of the Parties to this agreement certifies that he or she is fully authorized by the party represented to enter into the terms and conditions of this agreement and to execute and legally bind that party to it.

27. The effective date of this CAFO is the date when the CAFO is filed with the Regional Hearing Clerk.

In recognition and acceptance of the foregoing:

Gary Bond
Vice-President
Special Energy Corporation

Date

Cheryl T. Seager, Director
Enforcement and
Compliance Assurance Division

Date

FINAL ORDER

Pursuant to the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties, 40 C.F.R. Part 22, the foregoing Consent Agreement is hereby ratified. This Final Order shall not in any case affect the right of EPA or the United States to pursue appropriate injunctive or other equitable relief or criminal sanctions for any violations of law. This Final Order shall resolve only those causes of action alleged in the Complaint. Nothing in this Final Order shall be construed to waive, extinguish, or otherwise affect Respondent's (or its officers', agents', servants', employees', successors', or assigns') obligation to comply with all applicable federal, state, and local statutes and regulations, including the regulations that were the subject of this action. Respondent is ordered to comply with the terms of settlement and the civil penalty payment instructions as set forth in the Consent Agreement. Pursuant to 40 C.F.R. § 22.31(b), this Final Order shall become effective upon filing with the Regional Hearing Clerk.

Issuance Date: _____

Thomas Rucki, Regional Judicial Officer
EPA, Region 6

CERTIFICATE OF SERVICE

I hereby certify that on the _____ day of _____, 2019, the original of the foregoing Consent Agreement and Final Order was hand-delivered to the Regional Hearing Clerk, as indicated below, and that a true and correct copy was placed in the United States mail, by certified mail, return receipt requested, addressed to the following:

Original hand-delivered: Regional Hearing Clerk (ORC)
 U.S. EPA, Region 6
 1201 Elm Street, Suite 500
 Dallas, Texas 75270-2102

Copy by certified mail,
return receipt requested: Mr. John Special, Owner
 Special Energy Corporation
 4815 S. Perkins Road
 Stillwater, Oklahoma 74074

 Mr. John E. Lee, III
 Lee Law & Consulting, LLC
 1800 Canyon Park Circle, Suite 201
 Edmond, OK 73013

Copy by email or mail: Mr. Roger Pearman, District One Manager
 Oklahoma Corporation Commission
 115 West 6th Street
 Bristow, Oklahoma 74010

 Mr. Travis Mensik, Regional Manager
 Oklahoma Department of Environmental Quality
 217 W. 5th Ave., Suite 5
 Stillwater, Oklahoma 74074-4056

 Mr. Don Terry
 Special Energy Corporation
 don.terry@specialenergycorp.com

Copy hand-delivered: Mr. Rusty Herbert (ORCEW)
 U.S. EPA, Region 6
 1201 Elm Street, Suite 500
 Dallas, TX 75270-2102

Dated: _____

Message

From: Eckhart, Jeanne [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=DDB8E58B4707410992750A95767619CA-ECKHART, JE]
Sent: 8/29/2019 7:33:38 PM
To: jan.whittington@specialenergycorp.com
CC: Tidmore, Guy [tidmore.guy@epa.gov]; Herbert, Rusty [Herbert.Rusty@epa.gov]
Subject: Special Energy Corp. - EPA follow up to Enforcement Actions Issued
Attachments: 6ENWR.SpecialEnergyLLC.APO.OKU000873.07.25.2019.pdf

Ms. Whittington,

As a follow up to our conversation, here is a courtesy copy of the enforcement action EPA issued to Special Energy related to a previous spill on the Ramsey Lease. You indicated to me that Don Terry is the correct contact and you will forward my information to him. I will be out of the office tomorrow (Friday, 8/30/2019), but will return after the holiday next Tuesday (9/2/2019). I hope to follow up with Mr. Terry at that time.

Please let me know if you have any questions and if you need immediate assistance while I am out, I have cc'd my attorney for the case and supervisor.

Thank you,

Jeanne Eckhart
Inspector and Enforcement Officer
Energy Sector Compliance Section
Enforcement and Compliance Assurance Division
Region 6, U.S. Environmental Protection Agency



U.S. Environmental Protection Agency, Region 6
Mail Code: 6CDWE
1201 Elm Street, Suite 500
Dallas, Texas 75270-2102
Office: (214) 665 – 8174

Message

From: Eckhart, Jeanne [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=DDB8E58B4707410992750A95767619CA-ECKHART, JE]
Sent: 10/4/2018 7:27:17 PM
To: jan.whittington@specialenergycorp.com
CC: Sanborn, Kent [Sanborn.Kent@epa.gov]; Tidmore, Guy [tidmore.guy@epa.gov]
Subject: EPA Compliance Inspections at Special Energy, LLC (Ramsey Lease)
Attachments: InspRptCWASpecialEnergyRamsey08282018.pdf

Dear Ms. Whittington,

On August 28, 2018, US Environmental Protection Agency (EPA) conducted a Clean Water Act (CWA) compliance inspection at your facility. A copy of the inspection report is attached to this email. EPA will use this to determine your facility's compliance with the CWA. Please review the report, note the areas of concern, and take any action necessary to ensure compliance with the CWA.

Please be aware that at the EPA identified immediate areas of concern and documented an unauthorized discharge of fluids leaving the site and entering the tributary of Wildhorse Creek.

Please let me or Kent Sanborn know if you have any questions. I would like to discuss the matter further with you and hope to talk to you on the phone soon. My contact information is below.

Thank you,

Jeanne Eckhart
Environmental Scientist
Water Resources Section
Enforcement Division/Region 6
U.S. Environmental Protection Agency



1445 Ross Avenue, Mail Code 6EN-WR
Dallas, Texas 75202
Office: (214) 665 – 8174
Fax: (214) 665 – 7446

Message

From: Tidmore, Guy [tidmore.guy@epa.gov]
Sent: 9/5/2018 6:29:16 PM
To: Eckhart, Jeanne [Eckhart.Jeanne@epa.gov]
Subject: RE: Special

Okay.

From: Eckhart, Jeanne
Sent: Wednesday, September 05, 2018 12:54 PM
To: Tidmore, Guy <tidmore.guy@epa.gov>
Subject: RE: Special

Definitely missed that one.

I think he was trying to indicate that he didn't observe oil or oil staining in response to the NRC reported spill that was referred to us.. If I had to take a guess. I would suggest we don't need this sentence as that observation can be made by looking at the photograph log.

Thanks,

Jeanne Eckhart
Environmental Scientist
Water Resources Section, Enforcement Division
Region 6, U.S. EPA
Office: (214) 665 – 8174
Fax: (214) 665 – 7446

From: Tidmore, Guy
Sent: Wednesday, September 05, 2018 11:32 AM
To: Eckhart, Jeanne <Eckhart.Jeanne@epa.gov>
Subject: Special

I initially arrived at the Special Energy Corp. Ramsey lease at about 2:00 pm on August 28, 2018. Upon inspection, I determined that the brine spill had reached a major tributary of Wild Horse Creek and had traveled 1-2 miles downstream from the point of entry into the tributary. I did not observed oil was observed during the inspection.

What was meant to be said?

Guy L. Tidmore, Acting Chief
Water Resources Section (6EN-WR)
Water Enforcement Branch
1445 Ross Ave., Ste. 9H2
Dallas, Tx 75202

Office 214-665-3142
Fax 214-665-7446

Cell 214-789-2586

Message

From: Eckhart, Jeanne [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=DDB8E58B4707410992750A95767619CA-ECKHART, JE]
Sent: 3/1/2019 5:30:34 PM
To: nikki@gcpetroleum.com
CC: Tidmore, Guy [tidmore.guy@epa.gov]; Sanborn, Kent [Sanborn.Kent@epa.gov]
Subject: EPA Compliance Inspection at G&C Petroleum, Inc.
Attachments: InspRptSDWAG&CPetroleumIncRamsey20190130.pdf

Dear G&C Petroleum, Inc. Representative,

In January 2019, the United States Environmental Protection Agency conducted a Clean Water Act (CWA) and a Safe Drinking Water Act (SDWA) compliance inspection at your facility. A copy of the inspection report is attached to this email. EPA will continue to use this report to determine your facility's compliance with the CWA and SDWA. Please review the report, note the areas of concern (if any), and take any actions necessary to ensure compliance with the CWA or SDWA. The EPA inspector, Kent Sanborn, may have discussed these concerns with a company representative at the time of the inspection as well. EPA wanted to provide you a copy of the inspection report for your records.

The attached inspection report will be posted to EPA Region 6's public website, here:
<https://www.epa.gov/ok/compliance-assurance-and-enforcement-documents-oklahoma>

If you have questions or concerns related to this inspection report, please feel free to reach out to me or the EPA inspector, Kent Sanborn. Also, my contact information is below.

Thank you,

Jeanne Eckhart
Environmental Scientist
Water Resources Section
Enforcement Division/Region 6
U.S. Environmental Protection Agency



1445 Ross Avenue, Mail Code 6EN-WR
Dallas, Texas 75202
Office: (214) 665 – 8174
Fax: (214) 665 – 7446

**Region 6 Compliance Assurance and Enforcement Division
INSPECTION REPORT**

| | | | |
|--|--------------------------------|------------------------|---|
| Inspection Date(s): | 01/30/2019 | | |
| Media: | Water | | |
| Regulatory Program(s) | Brine - SDWA | | |
| Company Name: | G&C Petroleum, Inc. | | |
| Facility Name: | Ramsey | | |
| Facility Physical Location: | 36.036317, -97.131575 | | |
| (city, state, zip code) | Stillwater, Oklahoma 74074 | | |
| Mailing address: | 102 W. Boston Ave. | | |
| (city, state, zip code) | Yale, Oklahoma 74085 | | |
| County/Parish: | Payne County | | |
| Facility Contact: | Clayton Alsip | | |
| | 918-387-3300; 405-747-4904 | | |
| FRS Number: | N/A | | |
| Identification/Permit Number: | OKU000873 | | |
| Media Number: | N/A | | |
| NAICS: | 21111 | | |
| SIC: | 1311 | | |
| Personnel participating in inspection: | | | |
| Kent W. Sanborn | 6EN-WR | Environmental Engineer | (918) 557 – 1615 |
| | | | |
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| | | | |
| | | | |
| EPA Lead Inspector Signature/Date | for Jeanne Eckhart | | Digitally signed by Jeanne Eckhart DN: cn=Jeanne Eckhart, o=EPA, ou=6EN-WR, email=eckhart.jeanne@epa.gov, c=US Date: 2019.02.27 07:06:49 -06'00' |
| | Kent W. Sanborn | | Date |
| Supervisor Signature/Date | for Jeanne Eckhart | | Digitally signed by Jeanne Eckhart DN: cn=Jeanne Eckhart, o=EPA, ou=6EN-WR, email=eckhart.jeanne@epa.gov, c=US Date: 2019.03.01 11:18:05 -06'00' |
| | Guy Tidmore | | Date |

Section I – INTRODUCTION

PURPOSE OF THE INSPECTION

EPA Region 6 inspector K.W. Sanborn visited the G&C Petroleum, Inc. oil and gas facility located at the latitude 36.036317 and longitude -97.131575 near Stillwater, Oklahoma on 01/30/2019 for an unannounced inspection. Representatives of G&C Petroleum, Inc. were present for the inspection. The inspection was conducted by authority of the Clean Water Act and the Safe Drinking Water Act to determine compliance with the Environmental Protection Agency (EPA) regulations.

FACILITY DESCRIPTION

This facility is known as the Ramsey Unit. This lease was previously owned by Special Energy Corporation. The facility has an EPA ID No. OKU000873.

Section II - OBSERVATIONS

I observed that this facility was the site of a historical discharge of produced water. During the inspection, the current operator was grading the contaminated hillside and damaged surface. With a calibrated YSI 30 Pro Conductivity Meter, I conducted a creek survey of the nearby creek, and about a half mile south from the point of entry of the previous flow path along the nearby creek a total dissolved solids (TDS) reading of 1,650 milligrams per liter (mg/L) was taken. I observed piles of gypsum at the clean-up site as well.

Section III – AREAS OF CONCERN

The hillside was being treated for the brine exposure. And the nearby creek still has slightly elevated TDS.

Section IV – FOLLOW UP

Conduct a follow up inspection in approximately 2 months.

Section V – LIST OF APPENDICES

N/A

Message

From: Eckhart, Jeanne [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=DDB8E58B4707410992750A95767619CA-ECKHART, JE]
Sent: 3/1/2019 5:22:15 PM
To: Stevens, Bill [stevens.bill@epa.gov]; Brooks, Christopher [brooks.christopher@epa.gov]
CC: Tidmore, Guy [tidmore.guy@epa.gov]
Subject: 6EN-WR Inspection Reports
Attachments: InspRptSDWA4DOilAndGasIncSouthCedarCreek20181218.pdf; InspRptSDWAPerdurePetroleumLLCNBU10-4220181211.pdf; InspRptSDWAPerdurePetroleumLLCNBU43-1320181218.pdf; InspRptSDWAPhoenixOilAndGasIncRB#220181204.pdf; InspRptSDWASharberBillyJackOperatingLLCMilburn20181204.pdf; InspRptSDWAWachtmanSchroederWhitetailStuartLease20181218.pdf; InspRptSDWAG&CPetroleumIncRamsey20190130.pdf; InspRptSDWAPerdurePetroleumLLCNBU56-1220190129.pdf; InspRptSDWAPerdurePetroleumLLCNBU5120190129.pdf; InspRptSDWAUnknownUnknownBirdCreek20190128.pdf

Bill and Chris,

Here's a batch of 10 inspection reports from 6ENWR for your FYI. Please let us know if you have any questions.

Thanks,

Jeanne Eckhart
Environmental Scientist
Water Resources Section, Enforcement Division
Region 6, U.S. EPA
Office: (214) 665 – 8174
Fax: (214) 665 – 7446

Message

From: Sanborn, Kent [Sanborn.Kent@epa.gov]
Sent: 8/11/2016 7:26:08 PM
To: Eckhart, Jeanne [Eckhart.Jeanne@epa.gov]
Subject: RE: Special Energy

I'll try again in minute

From: Eckhart, Jeanne
Sent: Thursday, August 11, 2016 2:23 PM
To: Sanborn, Kent <Sanborn.Kent@epa.gov>
Subject: RE: Special Energy

Ok, I'll call in about 10. Your phone completely not working?

From: Sanborn, Kent
Sent: Thursday, August 11, 2016 2:22 PM
To: Eckhart, Jeanne <Eckhart.Jeanne@epa.gov>
Subject: RE: Special Energy

Can you call occ kingfisher office. Not sure what willie is doing on my phone

From: Eckhart, Jeanne
Sent: Thursday, August 11, 2016 1:58 PM
To: Sanborn, Kent <Sanborn.Kent@epa.gov>
Subject: RE: Special Energy

The Arkansas River South Fork is FAR downstream. I think it only reached a little past the Polecat Creek and E0220 Rd. The chlorides reading there was 18,700 ppm on 3/2/2016. I am unsure if Pond Creek (which is downstream of Polecat but upstream of the Arkansas was affected).

The facility is called "Atlas Facility"

Section 5, T27N, R4W, Grant County, OK

They hired an environmental consultant to assess the remediation, so I am unsure where they are in their process of clean up.

From: Eckhart, Jeanne
Sent: Thursday, August 11, 2016 1:47 PM
To: Sanborn, Kent <Sanborn.Kent@epa.gov>
Subject: RE: Special Energy

Ok,

I'll be here. Hopefully you can call...but I won't hold my breath.

From: Sanborn, Kent
Sent: Thursday, August 11, 2016 1:46 PM
To: Eckhart, Jeanne <Eckhart.Jeanne@epa.gov>
Subject: RE: Special Energy

I'll go down there and check. It should be less than 2k. The battery is locked and no signs anywhere

From: Eckhart, Jeanne
Sent: Thursday, August 11, 2016 1:42 PM
To: Sanborn, Kent <Sanborn.Kent@epa.gov>
Subject: RE: Special Energy

What's the reading ~ 3.3 miles downstream at Hwy 11 and N3020 Rd? cause apparently, from the information the company sent me the leak went past that probably 500 yards or so downstream.

Is the leak still active?

From: Sanborn, Kent
Sent: Thursday, August 11, 2016 1:27 PM
To: Eckhart, Jeanne <Eckhart.Jeanne@epa.gov>
Subject: RE: Special Energy

Ok. Appears the source is a large buried injection supply line now repaired. They are pumping out a fresh pond, bypassing the killed area and sending it farther downstream. Unfortunately the fresh is mixing with the brine already washed downstream and becoming 6700 ppm flowing hard south.

36.839467, -97.6541776700ppm, 36.824982, -97.649720.....7400ppm. 36.821727, -97.642215...2100ppm.

Was OCC contacted? And do they approve of the current method of cleanup?

From: Eckhart, Jeanne
Sent: Thursday, August 11, 2016 1:21 PM
To: Sanborn, Kent <Sanborn.Kent@epa.gov>
Subject: RE: Special Energy

I wish your phone wasn't acting up.

It got referred to us by OSC. If there's still contamination, let's write it up and get them in the enforcement process so they will be more responsive...they haven't sent me a response to my email as of 8/1 after I talked to them on the phone.

Thoughts?

From: Sanborn, Kent
Sent: Thursday, August 11, 2016 1:17 PM
To: Eckhart, Jeanne <Eckhart.Jeanne@epa.gov>
Subject: Special Energy

Was there an OSC on this spill/ Widespread surface damage. Convuluted cleanup process. 6700 to 10,000 flowing from the site now

Message

From: Sanborn, Kent [Sanborn.Kent@epa.gov]
Sent: 8/11/2016 7:27:27 PM
To: Eckhart, Jeanne [Eckhart.Jeanne@epa.gov]
Subject: RE: Special Energy

Getting photos of normal background now. Need anything else. Hotter than Hades out here. Johnson grass over my head. That is why we get the big bucks

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Section 5, T27N, R4W, Grant County, OK

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Subject: RE: Special Energy

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Subject: Special Energy

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Message

From: Sanborn, Kent [Sanborn.Kent@epa.gov]
Sent: 8/15/2016 3:05:52 PM
To: Eckhart, Jeanne [Eckhart.Jeanne@epa.gov]
Subject: FW: Special Energy - Atlas Facility Release
Attachments: removed.txt

From: Chris Lutrell [mailto:C.Lutrell@occeemail.com]
Sent: Friday, August 12, 2016 9:38 AM
To: Don Terry <don.terry@SpecialEnergyCorp.com>
Cc: Tim Baker <T.Baker@occeemail.com>; Charles Lord <C.Lord@occeemail.com>; Brad Ice <B.Ice@occeemail.com>; David Howard <D.Howard@occeemail.com>; Sanborn, Kent <Sanborn.Kent@epa.gov>
Subject: Special Energy - Atlas Facility Release

Mr. Terry,

I was on site at the Atlas facility in Grant County yesterday and discovered that the dam at HWY 11 had been washed out. Fortunately, the low volume of water that was moving through the creek at that point was only 800 ppm TSS, so I do not believe any impact downstream occurred. When I spoke with Sam Cabbiness about it he told me that it must have washed out Saturday during the storms. I spoke with Sam earlier today and he said he should have people rebuilding the dam by noon today. I realize that things like this can and will happen, but 6 days is too long of a time to let pass before rebuilding. The dam must be maintained at all times, otherwise there is significant potential for contamination to spread downstream. Thank you.

Chris Lutrell
Hydrologist/PA Case Review
Oklahoma Corporation Commission
101 S. 6th, Box 1107
Kingfisher, Oklahoma 73750
Office:(405)375-5570
Cell: (405)514-8962
c.lutrell@occeemail.com



Message

From: Sanborn, Kent [Sanborn.Kent@epa.gov]
Sent: 11/1/2016 8:25:34 PM
To: Eckhart, Jeanne [Eckhart.Jeanne@epa.gov]
Subject: RE: Special energy

? I would assume so. Might ask Chris

From: Eckhart, Jeanne
Sent: Tuesday, November 01, 2016 3:22 PM
To: Sanborn, Kent <Sanborn.Kent@epa.gov>
Subject: RE: Special energy

So they created a land farm there? Is it permitted?

From: Sanborn, Kent
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To: Eckhart, Jeanne <Eckhart.Jeanne@epa.gov>
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Probably too late for that. But I made it clear that I wanted no more water to leave the side period. We should get copies of the "disposal " plan.

From: Eckhart, Jeanne
Sent: Tuesday, November 01, 2016 3:11 PM
To: Sanborn, Kent <Sanborn.Kent@epa.gov>
Subject: RE: Special energy

Let's bring up to Willie and see how he wants to handle it. Thoughts?

Thanks,

From: Sanborn, Kent
Sent: Tuesday, November 01, 2016 3:09 PM
To: Eckhart, Jeanne <Eckhart.Jeanne@epa.gov>
Subject: RE: Special energy

They are burying on site. Just talked to Chris. He is calling out Special to drain that creek.

From: Eckhart, Jeanne
Sent: Tuesday, November 01, 2016 2:51 PM
To: Sanborn, Kent <Sanborn.Kent@epa.gov>
Subject: RE: Special energy

There's a land farm operation there? Not at the Atlas Facility?

From: Sanborn, Kent
Sent: Tuesday, November 01, 2016 2:43 PM
To: Eckhart, Jeanne <Eckhart.Jeanne@epa.gov>
Subject: Special energy

Brine is still leaving the site ranging from 2500 ppm to 16,000 ppm. The creek south of the land farm operation must be kept pumped out.

Message

From: Herbert, Rusty [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=83179BA6E96B4A7E984D0E12DE2541AE-HERBERT, RUSTY]
Sent: 12/12/2019 5:27:25 PM
To: McDonald, Scott [mcdonald.scott@epa.gov]
Subject: FW: Consent Agreement and Final Order, In Re Special Energy Corporation, Docket No. CWA-06-2019-1796
Attachments: Consent Ag. and Final Order.pdf; Revised Paragraph 9 of Consent Agreement and Final Order.docx

Fyi, as discussed.

From: John Lee [mailto:jlee@leelawconsulting.com]
Sent: Thursday, December 12, 2019 10:04 AM
To: Herbert, Rusty <Herbert.Rusty@epa.gov>
Cc: Gary Bond <Gary.Bond@SpecialEnergyCorp.com>; Donna Cavin <dcavin@leelawconsulting.com>
Subject: Consent Agreement and Final Order, In Re Special Energy Corporation, Docket No. CWA-06-2019-1796

Mr. Herbert,

Attached is a copy of the EPA-proposed Consent Agreement and Final Order we received via certified mail a few days ago.

My understanding of our agreement, as set out in my email of September 24, 2019, is that Special Energy Corp. (SEC) will pay \$12,000.00 as civil assessment imposed due to its statutory/regulatory strict liability for the spill as the operator of Facility No. OKU000873, while not admitting fault or other legal or equitable culpability.

Numerical paragraph (9) of the EPA-proposed Consent Agreement and Final Order contains an admission of fault by SEC, which is not consistent with my understanding of our agreement.

Attached, for your review and comment, is my proposed revised numerical paragraph (9) of the EPA-proposed Consent Agreement and Final Order which we believe honors our agreement.

If it meets with your approval, please supply me with the Consent Agreement and Final Order which incorporates the changes to numerical paragraph (9) and I will see that it is executed by SEC and that the contemplated \$12,000 payment is timely made.

Thanks,

John E. Lee, III
Lee Law & Consulting, LLC
1800 Canyon Park Circle
Suite 201
Edmond, OK 73013
(405) 844-7000

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Message

From: Herbert, Rusty [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=83179BA6E96B4A7E984D0E12DE2541AE-HERBERT, RUSTY]
Sent: 12/12/2019 5:28:53 PM
To: John Lee [jlee@leelawconsulting.com]
Subject: RE: Consent Agreement and Final Order, In Re Special Energy Corporation, Docket No. CWA-06-2019-1796

Thank you. I am in process of review and discussing with management. This may be difficult or impossible to change. I will get back too you.

From: John Lee [mailto:jlee@leelawconsulting.com]
Sent: Thursday, December 12, 2019 10:04 AM
To: Herbert, Rusty <Herbert.Rusty@epa.gov>
Cc: Gary Bond <Gary.Bond@SpecialEnergyCorp.com>; Donna Cavin <dcavin@leelawconsulting.com>
Subject: Consent Agreement and Final Order, In Re Special Energy Corporation, Docket No. CWA-06-2019-1796

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If it meets with your approval, please supply me with the Consent Agreement and Final Order which incorporates the changes to numerical paragraph (9) and I will see that it is executed by SEC and that the contemplated \$12,000 payment is timely made.

Thanks,

John E. Lee, III
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Suite 201
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Message

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Sent: 1/8/2020 2:46:55 PM
To: Morgan, Jeanette [Morgan.Jeanette@epa.gov]
Subject: RE: WAR ITEMS - PLEASE SEND BY NOON ON WED! THANKS

FYI. A WAR for Special Energy Corporation was submitted this morning.

From: Morgan, Jeanette
Sent: Tuesday, January 7, 2020 1:47 PM
Subject: WAR ITEMS - PLEASE SEND BY NOON ON WED! THANKS

Message

From: McDonald, Scott [mcdonald.scott@epa.gov]
Sent: 1/8/2020 8:53:22 PM
To: Herbert, Rusty [Herbert.Rusty@epa.gov]
Subject: RE: Special Energy WAR

Thanks Rusty! I confirmed that your WAR entry was approved by Tricia and included in this week's report.

Scott

From: Herbert, Rusty <Herbert.Rusty@epa.gov>
Sent: Wednesday, January 08, 2020 8:49 AM
To: McDonald, Scott <mcdonald.scott@epa.gov>
Subject: Special energy WAR

FYI A WAR for the Special Energy Corporation was submitted this morning. Thanks, Rusty.

Message

From: Sanborn, Kent [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=A78A8FDB63BC4B6C926606AC58A4A18C-SANBORN, KENT]
Sent: 11/1/2016 8:43:52 PM
To: Eckhart, Jeanne [Eckhart.Jeanne@epa.gov]
Subject: RE: Special energy

I'm driving call

From: Eckhart, Jeanne
Sent: Tuesday, November 01, 2016 3:41 PM
To: Sanborn, Kent <Sanborn.Kent@epa.gov>
Subject: RE: Special energy

Do you always switch the colors of your font too in your email responses? I just noticed that.

As far as this is concerned, I need an AO inspection report if we are going to take any steps as well as work with the OCC.

From: Sanborn, Kent
Sent: Tuesday, November 01, 2016 3:40 PM
To: Eckhart, Jeanne <Eckhart.Jeanne@epa.gov>
Subject: RE: Special energy

ahhhhhhhhhhhhhhhhhhhhhhhhhhhhh

From: Eckhart, Jeanne
Sent: Tuesday, November 01, 2016 3:36 PM
To: Sanborn, Kent <Sanborn.Kent@epa.gov>
Subject: RE: Special energy

No I don't think it's a land farming operation as OCC defines it.

What type of report are you writing?

From: Sanborn, Kent
Sent: Tuesday, November 01, 2016 3:29 PM
To: Eckhart, Jeanne <Eckhart.Jeanne@epa.gov>
Subject: RE: Special energy

My problem is that no one is paying attention to the brine in the first mile of creek south of the pit/farm. They have 2 frac tanks about 2 miles south on the highway but the hot stuff is just south of the discharge.

From: Eckhart, Jeanne
Sent: Tuesday, November 01, 2016 3:22 PM
To: Sanborn, Kent <Sanborn.Kent@epa.gov>
Subject: RE: Special energy

So they created a land farm there? Is it permitted?

From: Sanborn, Kent
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To: Eckhart, Jeanne <Eckhart.Jeanne@epa.gov>
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Message

From: Eckhart, Jeanne [Eckhart.Jeanne@epa.gov]
Sent: 9/24/2019 8:10:04 PM
To: Tidmore, Guy [tidmore.guy@epa.gov]
Subject: FW: Special Energy Corp., Docket No. CWA-06-2019-1796

FYI

From: Herbert, Rusty <Herbert.Rusty@epa.gov>
Sent: Tuesday, September 24, 2019 3:00 PM
To: Eckhart, Jeanne <Eckhart.Jeanne@epa.gov>
Subject: FW: Special Energy Corp., Docket No. CWA-06-2019-1796

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Cc: Gary Bond <Gary.Bond@SpecialEnergyCorp.com>; John Special <John.Special@SpecialEnergyCorp.com>
Subject: Special Energy Corp., Docket No. CWA-06-2019-1796

Mr. Herbert,

Pursuant to our conversation of this date, please supply this office with a copy of your proposed *Consent Agreement and Consent Order* whereunder the parties settle the referenced case by Special Energy Corp.'s payment of \$12,000.00 as civil assessment imposed due to its statutory/regulatory strict liability for the spill as the operator of Facility No. OKU000873, while not admitting fault or other legal or equitable culpability.

Upon our approval, the *Consent Agreement and Consent Order* will be signed by Gary Bond, Vice-President of Special Energy Corp.

Thanks for your attention to this matter.

John E. Lee, III
Lee Law & Consulting, LLC
1800 Canyon Park Circle
Suite 201
Edmond, OK 73013
(405) 844-7000

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